

**CITY COUNCIL AGENDA**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND LINDA L. KELLY, MOUNTAIN VIEW PRESBYTERIAN CHURCH
- PLEDGE OF ALLEGIANCE

**MINUTES:**

PRESENT: MAYOR GOODMAN (excused from the afternoon session at 5:15 p.m.) and COUNCILMEMBERS REESE, BROWN, L.B. McDONALD, WEEKLY, MACK, and MONCRIEF

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

City Hall Plaza, Special Outside Posting Bulletin Board

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(9:09 – 9:10)

**1-1**

REVEREND LINDA L. KELLY, Mountain View Presbyterian Church, gave the invocation.

(9:10 – 9:12)

**1-23**

MAYOR GOODMAN led the audience in the Pledge.

(9:12 – 9:12)

**1-75**

# *City of Las Vegas*

CITY COUNCIL MEETING OF MARCH 17, 2004  
Announcements – Continued

## **MINUTES:**

MAYOR GOODMAN welcomed a group of student council members and officers from each of the local Catholic Schools who were joining the Council to watch the proceedings. They stood in acknowledgement.

(9:45 – 9:47)

**1-1157**

COUNCILMAN REESE welcomed the following students from the UNLV Intro to American Politics class: CANDESS ZONA, TIMOTHY MENDOLA, ASHLEY HAVIN, BRANDI COFFMAN, LAURA DANA, NELLIE QIN, HEEJIN GHIM, LAURA MYERS, MELINDA MESA, LAUREN CARNEY, WILLIAM SOUZA. Their teacher DEAN DePAULA was also present.

(9:47)

**1-1233**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC AFFAIRS**

**DIRECTOR: DAVID RIGGLEMAN**

☐

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**CEREMONIAL:**

RECOGNITION OF THE EMPLOYEE OF THE MONTH

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**BACKUP DOCUMENTATION:**

**MOTION:**

None required. A presentation was made.

**MINUTES:**

MAYOR GOODMAN opened the ceremonial portion by stating that the St. Patrick's Day parade was great. He then called forward ORLANDO SANCHEZ, Director of Neighborhood Services, and MEL HENKIN, Senior Citizens' Advisory Board member, who assisted in recognizing MARIA CASTILLO-COUCH of Neighborhood Services as Employee of the Month for March. MR. HENKIN nominated MRS. CASTILLO-COUCH, who is responsible for the Neighborhood Partners Fund Grant Program, which provides grants for 30 neighborhoods each year. She works with neighborhood leaders to develop their applications and implement their programs.

For the past three years, MRS. CASTILLO-COUCH has served as staff liaison for the Senior Citizens' Advisory Board, and, through her involvement and support, there have been some great suggestions proposed by that board. The Board has contributed in a number of ways to include developing a City Council resolution that supports numerous measures for the betterment of seniors in Las Vegas.

MRS. CASTILLO-COUCH is also very committed to helping the Hispanic community. She assists other departments to inform Spanish-speaking citizens about City programs and also translates City services for local radio and television programming. Her commitment to both her job and the community are great assets for the City.

# *City of Las Vegas*

CITY COUNCIL MEETING OF MARCH 17, 2004

Ceremonial

Recognition of the Employee of the Month

## **MINUTES – Continued:**

MR. SANCHEZ thanked MRS. CASTILLO-COUCH for providing outreach for the entire community, especially to seniors. She is a great asset to the department. And it is a great honor when a citizen nominates an employee.

MR. HENKIN indicated that he learned that MRS. CASTILLO-COUCH genuinely cares about people when he met with her regarding his application for a community grant. She is a great help to the Senior Citizens' Advisory Board and energizes the members to push and expand their horizons.

MRS. CASTILLO-COUCH was deeply honored that MR. HENKIN nominated her. She felt grateful to work for such wonderful managers and leaders that allow her to do what she really enjoys, and that is serving the community and helping them realize their dreams.

(9:13 – 9:18)

**1-110**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC AFFAIRS**

**DIRECTOR: DAVID RIGGLEMAN**

☐

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**CEREMONIAL:**

RECOGNITION OF THE HIGH SCHOOL STATE CHAMPIONS

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**BACKUP DOCUMENTATION:**

**MOTION:**

None required. A presentation was made.

**MINUTES:**

MAYOR GOODMAN announced that the Council would be recognizing some youngsters who were state champions in their divisions.

COUNCILMAN BROWN first recognized Mustang Boys Varsity Basketball team, the 2A State Champions for 2004, from Meadows School. He called forward GREG GOORJIAN, Head Coach, and MIKE LEWIS, Assistant Coach, and then each of the team members MIKE WYNN, CAMDEN GOORJIAN, MIKE BARSON JAKE BURNETT, SCOTT LEWIS, HOWARD SMITH, PC YOUNGBLOOD, BRANDON BACCUS, RICHARD SMITH, JEREMY LEIBOWITZ, KEVIN NOWINS, GREG MAGGIORE, and MIKE MARTINEZ.

On behalf of the team, COACH GOORJIAN accepted a huge trophy from the City as a token of pride in the team. He stated that he has been a part in shaping these young boys into fine young men. He was honored to coach such a fine group of young men.

COUNCILMAN MACK called forward KAREN WEITZ, Head Coach, CASSANDRA ADAMS and NATALIE HOUTS, Assistant Coaches, GREGORY WOLFRAM, Athletic Administrator, and RICK KAZEE, Athletic Director, to help recognize the Centennial Bulldogs, the Centennial High School Girls Basketball team who took the 4A State Championship. The team members came forward as their names were called: SIERRA CHAMBERS, CALISTA TSINNIJINNIE, NATALIE MITCHELL, JORDYN BOWEN, KARISSA FERNANDEZ, KRISTINA KLINE, WHITLEY COX, ASHLEY BLAKE, WHITNEY PRICE, and ITALEE LUCAS.

# *City of Las Vegas*

CITY COUNCIL MEETING OF MARCH 17, 2004

Ceremonial

Recognition of the High School State Champions

## **MINUTES – Continued:**

COUNCILMAN MACK commented that COACH WEITZ put together a great basketball team. Not only was this team the Northwest Division champs and the Regional and State Champions, but also the undefeated team in division play and have been Division Champions since the 1999 season, as well as the four-time Region Champions. The Bulldogs' overall 2003-2004 record was 31-2. As three-time State Champions, they hold the Southern Nevada record for most consecutive state championship wins. In five seasons, Centennial has run up a record of 155-9, or 94%. COUNCILMAN MACK presented a trophy to the head coach as a token of his pride in the team. Also, each team member received a certificate of appreciation.

COACH WEITZ thanked the Councilmembers for the recognition of the team members, who work very hard throughout the year. They take a lot of pride in representing Las Vegas. She also thanked her assistant coaches.

COUNCILWOMAN McDONALD recognized the Palo Verde High School Boys Basketball team, who won the Class 4A State Championship. She called forward PHIL CLARKE, Head Coach, and PAUL AZNAREZ and PAUL SANCHEZ, Assistant Coaches, and then the Palo Verde High School Panthers: ALLEN STINNET, NATE SCHULTE, LUKE GUMS, SPENCER JENSEN, JARRELL HARRISON, JOE DRNEC, RICH WESLING, ROMON CROSS, MATT DIXON, BRENT FLORENCE, BRIAN MARKS, TROY COTTON, MITCH SMITH, AMIR AHMAD, and JOSH STEFFEN.

COUNCILWOMAN McDONALD presented MR. STEFFEN and COACH CLARKE with a trophy from the City. MR. STEFFEN was very grateful to the Council for the recognition. The team members and coaches were awesome this year. They all gave their hardest and met their goal. COACH CLARKE was honored by this recognition. He said that winning the championship was very exciting. He thanked all the school staff and the principal for being so supportive.

(9:18 – 9:31)

**1-253**

Also, COUNCILWOMAN McDONALD recognized TYREE WALTON, Palo Verde High School State Wrestling Champion, and his coach, KRIS DAVIS. She presented MR. WALTON with a plaque and a certificate for winning the championship in the 140lb. men's division. He was also the leading rusher on the football team with 1,378 yards this year. PRINCIPAL PAUL OSBOID said that MR. WALTON is a great football player, wrestler, and a great kid. He will be missed a lot when he graduates. MR. WALTON thanked the Council for recognizing him with all the champions.

(9:31 – 9:33)

**1-536**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC AFFAIRS**

**DIRECTOR: DAVID RIGGLEMAN**

☐

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

CEREMONIAL:

RECOGNITION OF NEVADA WOMEN'S HISTORY MONTH

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**BACKUP DOCUMENTATION:**

The Mayor's copy of the Women in Nevada History publication was turned over to the Clerk's Office for the record

**MOTION:**

None required. A presentation was made.

**MINUTES:**

COUNCILWOMAN McDONALD announced that since 1987 the nation has celebrated National Women's History Month with the purpose of recognizing the important roles women have played in the nation's history. This year's theme is "Women Inspiring Hope and Possibility," which celebrates the hope and sense of possibility that comes from the inspirational work of women. The Nevada Women's History Project was founded in 1994 with a mission to provide visibility and support for the gathering and dissemination of history about the roles and contributions of Nevada women of every race, class, and ethnic background. She recognized the Nevada Women's History Project as a dedicated organization working hard to preserve women's history in Nevada. She called up the following members to the dais: KAYE GRAYE – 2<sup>nd</sup> Vice President of the State Board and Southern Region, MITSY JOHNSON – State Board Treasurer, JEAN SPILLER – Treasurer Southern Region, ANN RECK – Recording Secretary of Southern Region, MARY GIFFORD – 1<sup>st</sup> Vice President of Southern Region, JEANNE GREENAWALT, RUTH LILLIS, JANE OLIVE, CLAYTEE WHITE, UNLV Oral Historian, SU KIM CHUNG, ROLALIE O'GRADY, JOAN DIMMITT, and BLANCHE ZUCKER.

On behalf of the Nevada Women's History Project and the Southern Region President JOYCE MOORE, MS. GRAYE thanked the City Council for this honor. She mentioned that the Project was the brainchild of JEAN FORD and was established in the North in 1994 and in the South in 1996. She reiterated the mission of the Project and mentioned the many projects they have

# *City of Las Vegas*

CITY COUNCIL MEETING OF MARCH 17, 2004

Ceremonial

Recognition of Nevada Women's History Month

## **MINUTES – Continued:**

worked on, one of them being the book assessment project which resulted in the publication of a book entitled "Women in Nevada History."

Their crowning achievement has been the placement of a statue of Sarah Winnemucca in Statuary Hall in Washington D.C. BENJAMIN VICTOR is the selected sculptor, and the dedication has been set for 3/2005. This four-year dream became a reality through the extraordinary efforts of the membership, most notably DEMA GUINN, for supporting the project. MS. GRAYE also expressed her sincere appreciation to COUNCILWOMAN McDONALD for her faith, and to the City Council for its generosity. As a token of appreciation, she gave a copy of the book, "Women in Nevada History," to MAYOR GOODMAN, which he turned over to the City Clerk's office. COUNCILWOMAN McDONALD presented MS. GRAYE with an award as a token of the City's appreciation.

MAYOR GOODMAN mentioned to MS. GRAYE that the City would be celebrating its Centennial on May 15, 2005, and it would really be necessitating the assistance of her group in providing historical information. He is looking forward to working with the Project.

(9:33 – 9:40)

**1-742**



**AGENDA SUMMARY PAGE**  
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**DEPARTMENT: PUBLIC AFFAIRS**

**DIRECTOR: DAVID RIGGLEMAN**

☐

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

CEREMONIAL:

RECOGNITION OF THE DECASTRO SISTERS

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**BACKUP DOCUMENTATION:**

Videotape was shown but not submitted for the record and a proclamation declaring 3/17/2004 as Decastro Sisters Day in City of Las Vegas was submitted

**MOTION:**

**None required. A presentation was made.**

**MINUTES:**

COUNCILWOMAN MONCRIEF felt honored to recognize the famous DeCastro Sisters. The group started with three sisters from Cuba, PEGGY, CHERIE, and BABETTE. COUNCILWOMAN MONCRIEF stated that the sisters started their careers in the early 40s. An NBC radio executive who frequently visited Cuba discovered the girls on their father's radio station in Havana. Soon they were entertaining from Havana to Hollywood and in showrooms from New York to Las Vegas. They sold five million records with their single hit "Teach Me Tonight." They appeared on the famous Ed Sullivan Show and performed with many great performers. BABETTE passed away in 1993 and PEGGY on 3/6/2004. Many replacements have contributed their talent to keep the DeCastro Sisters' legacy going.

After showing a videotape of a movie the original DeCastro Sisters performed in, COUNCILWOMAN MONCRIEF called up the last original member, CHERIE, as well as LOIS DENNY, who joined the act nearly 20 years ago, MAGGIE ALVASANI, the most recently inducted "Bombshell," and DESIRÉ DiLORENZO, the manager.

CHERI DECASTRO said she was accepting this honor on behalf of her sisters and the new members of the group. She felt especially honored to meet MAYOR GOODMAN, who presented her with a key to the City.

(9:40 – 9:45)

**1-977**

**AGENDA SUMMARY PAGE**  
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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

**BUSINESS ITEMS:**

Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

**MOTION:**

**REESE – Motion to bring forward and Hold in ABEYANCE Items 72 and 75 to 4/21/2004 and STRIKE Items 73 and 100 – UNANIMOUS**

**MINUTES:**

There was no discussion.

(9:47 – 9:49)

1-1256

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

**BUSINESS ITEMS:**

Approval of the Final Minutes by reference of the Regular City Council Meetings of January 7, 2004, January 21, 2004 and February 4, 2004

**MOTION:**

**REESE – APPROVED by Reference – UNANIMOUS**

**MINUTES:**

There was no discussion.

(9:49)

**1-1300**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Service and Material Checks/Payroll Checks/Wires Transfers/Other Checks and Investments

**Fiscal Impact**☐**No Impact****Amount:** \$63,625,754.87☒**Budget Funds Available****Dept./Division:** Accounting Operations☐**Augmentation Required****Funding Source:** All Funds**PURPOSE/BACKGROUND:**

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

**RECOMMENDATION:****BACKUP DOCUMENTATION:**

Summary of cash expenditures for the period 02/16/04 - 02/29/04

Total Services and Materials Checks	\$ 13,332,040.96
Total Payroll Checks	\$ 5,321,375.66
Total Wire Transfers	\$ 44,972,338.25

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30: APPROVED under separate actions (see individual items)**

NOTE: In addition to abstaining on Items 9-12, COUNCILWOMAN McDONALD disclosed that she would be voting on Items 8 and 13, although she is an outside director for Station Casinos, who holds privileged licenses for alcohol and gaming, as do the applicants in Items 8 and 13. She has not discussed these items with Station Casinos and she did not feel her affiliation would impact her judgment. She reviewed these disclosures with the City Attorney, who opined that these items would have no material impact on Station Casinos.

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 3 – Approval of Service and Material Checks/Payroll Checks/Wires  
Transfers/Other Checks and Investments

**MOTION – Continued:**

NOTE: In addition to abstaining on Items 9-12, 18, 28, and 46, COUNCILMAN MACK disclosed that the location involved in Item 17 is near a SuperPawn shop, for which he does consulting, and is owned by his brother STEVEN MACK. However, he did not believe the application would affect his brother's shop, and he felt comfortable voting because he had not discussed the application with his brother.

**MINUTES:**

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that each item be approved by the City Council.

MAYOR GOODMAN requested Items 9-12 and 30 be pulled for discussion. COUNCILMAN WEEKLY requested Item 13 be brought forward.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Special Event License for the Mexican Patriotic Committee, Location: Freedom Park, 850 North Mojave Road, Date: March 21, 2004, Type: Special Event Beer/Wine, Event: Spring Festival, Responsible Person in Charge: Eddie Escobedo - Ward 3 (Reese)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a Special Event License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Special Event License for Gustavo Barcenas, Location: Charleston Heights Art Center, 800 Brush Street, Date: April 17, 2004, Type: Special Event Beer/Wine/Cooler, Event: Baptism Party, Responsible Person in Charge: Gustavo Barcenas - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a Special Event License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Drum Schtick, LLC, dba Benedict's Garden Bistro & Terrace, 1916 Village Center Circle, Suite 7, Patrick J. Marcy, Mmbr, Mgr, 100% - Ward 4 (Brown)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Supper Club License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)  
1-1314



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Change of Ownership and Business Name for a Supper Club License subject to the provisions of the fire codes and Health Dept. regulations, From: LVH Restaurants, Inc., dba Houlihans (Non-operational), Kerri L. Verhey, Mgr, Mmbr, 25%, Donald K. White, Jr., Mgr, Mmbr, 25%, George M. Sorrentino, Mgr, Mmbr, 25%, Brian A. Sorrentino, Mgr, Mmbr, 25%, To: Sonoran Barbeque Nevada, LLC, dba Famous Dave's, 1951 North Rainbow Boulevard, Vincent J. Morrissey, Mgr, Mmbr, 40%, William C. Dworak, Mgr, Mmbr, 40%, Randall R. Frederick, Mgr, Mmbr, 20%, David M. Dworak, Key Employee - Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of Change of Ownership and Business Name for a Supper Club License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Change of Ownership for a Tavern License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Coco Nuts, LLC, William R. Phillips, Mgr, Mmbr, 100%, To: RLB I, LLC, dba Willy's, 2202 Paradise Road, James B. Bayne, Mgr, Mmbr, 100% - Ward 3 (Reese)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of Change of Ownership for a Tavern License and a new Restricted Gaming License for 15 slots

**RECOMMENDATION:**

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30: APPROVED under separate actions (see individual items)**

NOTE: In addition to abstaining on Items 9-12 under Item 3, COUNCILWOMAN McDONALD disclosed that she would be voting on Items 8 and 13, although she is an outside director for Station Casinos, who holds privileged licenses for alcohol and gaming, as do the applicants in Items 8 and 13. She has not discussed these items with Station Casinos and she did not feel her affiliation would impact her judgment. She reviewed these disclosures with the City Attorney, who opined that these items would have no material impact on Station Casinos.

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 8 – Approval of Change of Ownership for a Tavern License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Coco Nuts, LLC, William R. Phillips, Mgr, Mmbr, 100%, To: RLB I, LLC, dba Willy's, 2202 Paradise Road, James B. Bayne, Mgr, Mmbr, 100% - Ward 3 (Reese)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Change of Ownership for a Tavern License and a new Non-restricted Gaming License subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Union Plaza Operating Company, John D. Gaughan, Chairman, CEO, J. K. Houssels, Vice-Chairman, Treas, Roy A. Galyean, Dir, Pres, COO, To: Barrick-UPG, LLC, dba Union Plaza Hotel & Casino, 1 South Main Street, Phillip L. Flaherty, COO, Barrick Gaming Operations, LLC, Managing Mmbr, 100%, Phillip L. Flaherty, COO, Barrick Gaming Investments, LLC, Managing Mmbr, 100%, Barrick Gaming Corporation, Managing Mmbr, 96.226%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy, General Counsel, Phillip L. Flaherty, COO, C-Bar Investments, LLC, Mmbr, 3.774%, Barrick Corporation, Managing Mmbr, 12.5%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy - Ward 5 (Weekly)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of Change of Ownership for a Tavern License and a new Non-restricted Gaming License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**GOODMAN – APPROVED** Items 9, 10, 11, and 12 as amended to reflect 100% ownership by Barrick Gaming – **UNANIMOUS** with L.B. McDONALD abstaining due to direct competition with Station Casinos, for which she serves as outside director and MACK also abstaining because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming

**MINUTES:**

ATTORNEY ANTHONY CABOT, Lionel, Sawyer, and Collins, was present representing the four applications. He was accompanied by PHILLIP FLAHERTY and DAVID BARRICK.

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 9 - Approval of Change of Ownership for a Tavern License and a new Non-restricted Gaming License subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Union Plaza Operating Company, John D. Gaughan, Chairman, CEO, J. K. Houssels, Vice-Chairman, Treas, Roy A. Galyean, Dir, Pres, COO, To: Barrick-UPG, LLC, dba Union Plaza Hotel & Casino, 1 South Main Street, Phillip L. Flaherty, COO, Barrick Gaming Operations, LLC, Managing Mmbr, 100%, Phillip L. Flaherty, COO, Barrick Gaming Investments, LLC, Managing Mmbr, 100%, Barrick Gaming Corporation, Managing Mmbr, 96.226%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy, General Counsel, Phillip L. Flaherty, COO, C-Bar Investments, LLC, Mmbr, 3.774%, Barrick Corporation, Managing Mmbr, 12.5%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy - Ward 5 (Weekly)

**MINUTES – Continued:**

CITY ATTORNEY JERBIC answered for MAYOR GOODMAN that there was an error in the ownership percentage for all four items. ATTORNEY CABOT corrected that Barrick Gaming Corporation owns 100% of Barrick Gaming Investments, not 96.226% as the four subject matters on all four items indicate. Therefore, C-Bar owns none.

MAYOR GOODMAN then indicated that he requested these matters be brought forward because he wanted to comment on the historic value to the renaissance of downtown. The new blood, energy, and infusion of monies that has gone into downtown in the past two years are extraordinary, particularly around the Fremont Street Experience, but Barrick's acquisition of gaming properties downtown gives him even greater confidence that the goals of the Council will be realized. He welcomed Barrick Gaming and offered his full assistance.

MAYOR GOODMAN and COUNCILMAN WEEKLY joined ATTORNEY CABOT, PHILLIP FLAHERTY, and DAVID BARRICK at the podium who were subsequently joined by celebrity ED McMAHON, the new spokesman for Barrick Gaming. MR. McMAHON said he is thrilled to be part of the renovation downtown.

(9:54 – 10:02)

**1-1510**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Change of Ownership for a Tavern License and a new Non-restricted Gaming License subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Exber, Inc., John D. Gaughan, Dir, Pres, Secy, Treas, Wayne M. Starker, Dir, VP, Gaughan 1993 Survivor's Trust, 27.5469%, John D. Gaughan, Trustee, Gaughan 1993 Marital Trust, 44.0002%, John D. Gaughan, Trustee, To: Barrick-WG, LLC, dba Western Hotel & Casino, 899 Fremont Street, Phillip L. Flaherty, COO, Barrick Gaming Operations, LLC, Managing Mmbr, 100%, Phillip L. Flaherty, COO, Barrick Gaming Investments, LLC, Managing Mmbr, 100%, Barrick Gaming Corporation, Managing Mmbr, 96.226%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy, General Counsel, Phillip L. Flaherty, COO, C-Bar Investments, LLC, Mmbr, 3.774%, Barrick Corporation, Managing Mmbr, 12.5%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy - Ward 5 (Weekly)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of Change of Ownership for a Tavern License and a new Non-restricted Gaming License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**GOODMAN – APPROVED** Items 9, 10, 11, and 12 as amended to reflect 100% ownership by Barrick Gaming – **UNANIMOUS** with L.B. McDONALD abstaining due to direct competition with Station Casinos, for which she serves as outside director and MACK also abstaining because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 10 - Approval of Change of Ownership for a Tavern License and a new Non-restricted Gaming License subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Exber, Inc., John D. Gaughan, Dir, Pres, Secy, Treas, Wayne M. Starker, Dir, VP, Gaughan 1993 Survivor's Trust, 27.5469%, John D. Gaughan, Trustee, Gaughan 1993 Marital Trust, 44.0002%, John D. Gaughan, Trustee, To: Barrick-WG, LLC, dba Western Hotel & Casino, 899 Fremont Street, Phillip L. Flaherty, COO, Barrick Gaming Operations, LLC, Managing Mmbr, 100%, Phillip L. Flaherty, COO, Barrick Gaming Investments, LLC, Managing Mmbr, 100%, Barrick Gaming Corporation, Managing Mmbr, 96.226%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy, General Counsel, Phillip L. Flaherty, COO, C-Bar Investments, LLC, Mmbr, 3.774%, Barrick Corporation, Managing Mmbr, 12.5%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy - Ward 5 (Weekly)

**MINUTES:**

ATTORNEY ANTHONY CABOT, Lionel, Sawyer, and Collins, was present representing the four applications. He was accompanied by PHILLIP FLAHERTY and DAVID BARRICK.

See Item 9 for all discussion.

(9:54 – 10:02)

**1-1510**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Change of Ownership for a Tavern License and a new Non-restricted Gaming License subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Gaughan South, Inc., John D. Gaughan, Dir, Pres, 100%, To: Barrick-GSG, LLC, dba Gold Spike Hotel & Casino, 400 Ogden Avenue, Phillip L. Flaherty, COO, Barrick Gaming Operations, LLC, Managing Mmbr, 100%, Phillip L. Flaherty, COO, Barrick Gaming Investments, LLC, Managing Mmbr, 100%, Barrick Gaming Corporation, Managing Mmbr, 96.226%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy, General Counsel, Phillip L. Flaherty, COO, C-Bar Investments, LLC, Mmbr, 3.774%, Barrick Corporation, Managing Mmbr, 12.5%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy - Ward 5 (Weekly)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of Change of Ownership for a Tavern License and a new Non-restricted Gaming License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**GOODMAN – APPROVED** Items 9, 10, 11, and 12 as amended to reflect 100% ownership by Barrick Gaming – **UNANIMOUS** with L.B. McDONALD abstaining due to direct competition with Station Casinos, for which she serves as outside director and MACK also abstaining because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming

**MINUTES:**

ATTORNEY ANTHONY CABOT, Lionel, Sawyer, and Collins, was present representing the four applications. He was accompanied by PHILLIP FLAHERTY and DAVID BARRICK.



CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 11 – Approval of Change of Ownership for a Tavern License and a new Non-restricted Gaming License subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Gaughan South, Inc., John D. Gaughan, Dir, Pres, 100%, To: Barrick-GSG, LLC, dba Gold Spike Hotel & Casino, 400 Ogden Avenue, Phillip L. Flaherty, COO, Barrick Gaming Operations, LLC, Managing Mmbr, 100%, Phillip L. Flaherty, COO, Barrick Gaming Investments, LLC, Managing Mmbr, 100%, Barrick Gaming Corporation, Managing Mmbr, 96.226%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy, General Counsel, Phillip L. Flaherty, COO, C-Bar Investments, LLC, Mmbr, 3.774%, Barrick Corporation, Managing Mmbr, 12.5%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy - Ward 5 (Weekly)

**MINUTES - Continued:**

See Item 9 for all discussion.

(9:54 – 10:02)

**1-1510**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Change of Ownership and Business Name for a Tavern License and a new Non-restricted Gaming License subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Exber, Inc., dba Las Vegas Club, John D. Gaughan, Dir, Pres, Secy, Treas, Wayne M. Starker, Dir, VP, Gaughan 1993 Survivor's Trust, 27.5469%, John D. Gaughan, Trustee, Gaughan 1993 Marital Trust, 44.0002%, John D. Gaughan, Trustee, To: Barrick-LVCG, LLC, dba Las Vegas Club Hotel & Casino, 18 Fremont Street, Phillip L. Flaherty, COO, Barrick Gaming Operations, LLC, Managing Mmbr, 100%, Phillip L. Flaherty, COO, Barrick Gaming Investments, LLC, Managing Mmbr, 100%, Barrick Gaming Corporation, Managing Mmbr, 96.226%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy, General Counsel, Phillip L. Flaherty, COO, C-Bar Investments, LLC, Mmbr, 3.774%, Barrick Corporation, Managing Mmbr, 12.5%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy - Ward 5 (Weekly)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Approval of Change of Ownership and Business Name for a Tavern License and a new Non-restricted Gaming License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**GOODMAN – APPROVED** Items 9, 10, 11, and 12 as amended to reflect 100% ownership by Barrick Gaming – **UNANIMOUS** with L.B. McDONALD abstaining due to direct competition with Station Casinos, for which she serves as outside director and MACK also abstaining because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 12 – Approval of Change of Ownership and Business Name for a Tavern License and a new Non-restricted Gaming License subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Exber, Inc., dba Las Vegas Club, John D. Gaughan, Dir, Pres, Secy, Treas, Wayne M. Starker, Dir, VP, Gaughan 1993 Survivor's Trust, 27.5469%, John D. Gaughan, Trustee, Gaughan 1993 Marital Trust, 44.0002%, John D. Gaughan, Trustee, To: Barrick-LVCG, LLC, dba Las Vegas Club Hotel & Casino, 18 Fremont Street, Phillip L. Flaherty, COO, Barrick Gaming Operations, LLC, Managing Mmbr, 100%, Phillip L. Flaherty, COO, Barrick Gaming Investments, LLC, Managing Mmbr, 100%, Barrick Gaming Corporation, Managing Mmbr, 96.226%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy, General Counsel, Phillip L. Flaherty, COO, C-Bar Investments, LLC, Mmbr, 3.774%, Barrick Corporation, Managing Mmbr, 12.5%, David W. Barrick, Dir, CEO, Asst Secy, Treas, Stephen A. Crystal, Dir, Pres, EVP, Secy - Ward 5 (Weekly)

**MINUTES:**

ATTORNEY ANTHONY CABOT, Lionel, Sawyer, and Collins, was present representing the four applications. He was accompanied by PHILLIP FLAHERTY and DAVID BARRICK.

See Item 9 for all discussion.

(9:54 – 10:02)

**1-1510**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Change of Ownership and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots subject to Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Almeida & Almeida, dba Maggie's Tavern, William E. Almeida and Margarita Almeida, 100% jointly as husband and wife, To: Claudio Garcia, dba Sin Fronteras Bar & Night Club, 1203 East Charleston Boulevard, Suites I & J, Claudio H. Garcia, 100% - Ward 5 (Weekly)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of Change of Ownership and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots

**RECOMMENDATION:**

Recommend approval subject to Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**WEEKLY – APPROVED as recommended and subject to a six-month (9/15/2004) review – UNANIMOUS**

NOTE: In addition to abstaining on Items 9-12 under Item 3, COUNCILWOMAN McDONALD disclosed that she would be voting on Items 8 and 13, although she is an outside director for Station Casinos, who holds privileged licenses for alcohol and gaming, as do the applicants in Items 8 and 13. She has not discussed these items with Station Casinos and she did not feel her affiliation would impact her judgment. She reviewed these disclosures with the City Attorney, who opined that these items would have no material impact on Station Casinos.

**MINUTES:**

The applicant was present.

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 13 – Approval of Change of Ownership and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots subject to Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Almeida & Almeida, dba Maggie's Tavern, William E. Almeida and Margarita Almeida, 100% jointly as husband and wife, To: Claudio Garcia, dba Sin Fronteras Bar & Night Club, 1203 East Charleston Boulevard, Suites I & J, Claudio H. Garcia, 100% - Ward 5 (Weekly)

**MINUTES – Continued:**

COUNCILMAN WEEKLY indicated he would like a six-month review imposed on this matter. JIM DiFIORE, Manager, Business Services, concurred, explaining that this has been a neighborhood bar for many years. The owner intends to operate the bar in nightclub fashion on weekends with music.

(9:53 – 9:54)

**1-1458**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Auctioneer License, Kuhn & Kuhn, dba DKS Kuhn Auctions, 7670 West Lake Mead Boulevard, Suite 100, Daniel R. Kuhn and Sandra L. Kuhn, 100% jointly as husband and wife - Ward 4 (Brown)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Auctioneer License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Change of Ownership and Business Name for a Martial Arts Instruction Business License, From: Witz & Witz, dba AAA Action USA Black Belt Academy, Stanley A. Witz and Michelle A. Witz, 100% jointly as husband and wife, To: Pilcher & Pilcher, dba USA Black Belt Studio, 3250 North Tenaya Way, Suite 113, Lawrence D. Pilcher and Susan M. Pilcher, 100% jointly as husband and wife - Ward 4 (Brown)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of Change of Ownership and Business Name for a Martial Arts Instruction Business License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30: APPROVED** under separate actions (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Change of Location for a Pistol Permit subject to the provisions of the planning and fire codes, Jan Van Oosten, dba Van's Guns, From: 1717 South Decatur Boulevard, Booth J33H, To: 5650 West Charleston Boulevard, #1, Jan Van Oosten, 100% - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of Change of Location for a Pistol Permit

**RECOMMENDATION:**

Recommend approval subject to the provisions of the planning and fire codes

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30: APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Psychic Art and Science License, Keshia Zane, dba Goddess Butterfly, 6848 West Charleston Boulevard, La Keshia S. Zane, 100% - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Psychic Art and Science License

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30: APPROVED under separate actions (see individual items)**

NOTE: In addition to abstaining on Items 9-12, 18, 28, and 46, COUNCILMAN MACK disclosed that the location involved in Item 17 is near a SuperPawn shop, for which he does consulting, and is owned by his brother STEVEN MACK. However, he did not believe the application would affect his brother's shop, and he felt comfortable voting because he had not discussed the application with his brother.

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a new Class II Secondhand Dealer License subject to the provisions of the fire codes, Camco, Inc., dba Z Trading Post, 3270 South Valley View Boulevard, Steven A. Mack, COB, CEO, Bryan W. Waters, Pres, COO, Marco A. Herrera, VP, Secy, Steven Mack Revocable Trust, 100%, Steven A. Mack, Trustee - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a new Class II Secondhand Dealer License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the fire codes

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Special Event License for the Nevada Arts Council, Location: Charleston Heights Art Center, Date: March 25, 2004, Type: Special Event Beer/Wine/Cooler, Event: Governor's Arts Awards, Responsible Person in Charge: Frank Gillette - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Approval of a Special Event License for the Nevada Arts Council

**RECOMMENDATION:**

Recommend approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Preapproval of award of Bid Number 04.1730.18-LED, Gowan North Channel, Phase 3 - Durango Drive to Lone Mountain Road to the lowest responsive and responsible or best bidder - Department of Public Works - (\$6,000,000 - Road and Flood Capital Project Fund) - Ward 4 (Brown)

**Fiscal Impact**☐**No Impact****Amount:** \$6,000,000☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Road and Flood CPF**PURPOSE/BACKGROUND:**

This project consists of the construction of approximately 5,800 lineal feet of reinforced concrete channel, 390 lineal feet of reinforced concrete arch box culvert, transition structures, headwalls, and 440 lineal feet of reinforced concrete box culverts between Durango Drive and El Capitan/Lone Mountain intersection and includes a simple span concrete bridge at Craig Road.

PCC: L. E. Davis

**RECOMMENDATION:**

That the City Council preapprove the award of Bid Number 04.1730.18-LED, Gowan North Channel, Phase 3 - Durango Drive to Lone Mountain Road to the lowest responsive and responsible or best bidder and preapprove the construction conflicts and contingency reserve as set by Finance and Business Services. Authority to execute contract on behalf of the City is given to the Purchasing Manager per R-145-2001.

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

CITY COUNCIL MEETING OF MARCH 17, 2004  
Consent – Finance and Business Services  
Item 20 – Bid No. 04.1730.18

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval to use North Las Vegas Bid Number B-1143 contract award for the purchase of police cars - Department of Field Operations - Award recommended to: FRIENDLY FORD (\$42,304 - Automotive Operations Internal Service Fund)

**Fiscal Impact**☐**No Impact****Amount:** \$42,304☒**Budget Funds Available****Dept./Division:** Field Operations☐**Augmentation Required****Funding Source:** Automotive Operations ISF**PURPOSE/BACKGROUND:**

On October 1, 2003, the North Las Vegas City Council approved the award of Bid Number B-1143 for the purchase of police cars. This request will allow the City to purchase two (2) additional police cars for use by Detention and Enforcement.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.195, which allows local governments to use the contracts of other local governments.

PCC: D. Rawski

POC: Bart Peterson - (702) 877-6526

CFN: 040239-DAR

**RECOMMENDATION:**

That the City Council approve the use of North Las Vegas Bid Number B-1143 for the purchase of police cars to Friendly Ford in the amount of \$42,304. Authority to execute contract is given to Purchasing Manager per R-145-2001.

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

CITY COUNCIL MEETING OF MARCH 17, 2004  
Consent – Finance and Business Services  
Item 21 – North Las Vegas Bid No. B-1143

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval to use Las Vegas Valley Water District Bid Number 1046-03, Annual Requirements Contract for Mobile Fleet Washing Services - Department of Field Operations - Award recommended to: GEYSER MOBILE WASH (Estimated annual amount of \$40,000 - Automotive Operations Internal Service Fund)

**Fiscal Impact**☐**No Impact****Amount:** \$40,000☒**Budget Funds Available****Dept./Division:** Field Operations☐**Augmentation Required****Funding Source:** Automotive Operations ISF**PURPOSE/BACKGROUND:**

On February 17, 2004, the Las Vegas Valley Water District Board of Directors approved the award of Bid Number 1046-03 for an annual requirements contract for mobile fleet washing services.

This request is exempt from the competitive bidding process pursuant to NRS 332.195, which allows local governments to use the contracts of other local governments.

PCC: D. Rawski

POC: Max McKee - (702) 361-9606

CFN: 040241-DAR

**RECOMMENDATION:**

That City Council approve use of Las Vegas Valley Water District Bid No. 1046-03, Mobile Fleet Washing to Geyser Mobile Wash from date of award to 03/31/05 with 4, one-year renewal options in the annual amount of \$40,000. Authority to execute contract is given to Purchasing Manager per R-145-2001.

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and **MACK** also abstaining on Items 9-12 because his brother-in-law **ANDREW DONNER** has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother **STEVEN MACK** is the applicant, and on Items 28 and 46 because his brother **STEVEN MACK** owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 & 30:**

**APPROVED** under separate actions (see individual items)



CITY COUNCIL MEETING OF MARCH 17, 2004  
Consent – Finance and Business Services  
Item 22 – Las Vegas Valley Water District Bid No. 1046-03

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of issuance of a purchase order for an Alpha Server - Department of Information Technologies - Award recommended to: HEWLETT PACKARD COMPANY (\$334,407 - Computer Services Internal Service Fund)

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$334,407

☒

**Budget Funds Available**

**Dept./Division:** Information Technologies

☐

**Augmentation Required**

**Funding Source:** Computer Services ISF

**PURPOSE/BACKGROUND:**

The migration of the Financial ERP to release 11i of the Oracle E-Business Suite necessitates this requirement for an increase in processor memory and data storage facilities.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.115.1(g), hardware and associated peripheral equipment and devices for computers.

PCC: G. Leaf

POC: Jon Allen - (800) 727-2472

CFN: 040255-GL

**RECOMMENDATION:**

That the City Council approve the issuance of a purchase order for an Alpha Server to Hewlett Packard Company in the amount of \$334,407.

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Contract 040204, consultant contract for financial services - Department of Finance and Business Services - Award recommended to: NEVADA STATE BANK PUBLIC FINANCE (Not to Exceed \$300,000 - Various Funds)

**Fiscal Impact**☐**No Impact****Amount:** NTE \$300,000☒**Budget Funds Available****Dept./Division:** Finance and Business Services☐**Augmentation Required****Funding Source:** Various Funds**PURPOSE/BACKGROUND:**

This contract is one of a group of three task order type contracts that provide pre-negotiated labor rates for financial consulting services and pre-negotiated fees for debt issuance services from March 17, 2004 through December 31, 2006. Contract value is an estimate and funding will be provided through the award of each task order.

This request is exempt from the competitive bidding procedures pursuant to NRS 332.115(b), professional services.

PCC: Denise Kaplan

POC: Andrew Artusa - (702) 796-3455

**RECOMMENDATION:**

The City Council approve the award of Contract 040204 to Nevada State Bank Public Finance, from March 17, 2004 to December 31, 2006 in an amount not to exceed \$300,000 for the three years. Authority to execute contract on behalf of the City is given to the Purchasing Manager per R-145-2001.

**BACKUP DOCUMENTATION:**

Certificate - Disclosure of Ownership/Principals

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 24 – Approval of award of Contract 040204 to Nevada State Bank Public Finance

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Contract 040205, consultant contract for financial services - Department of Finance and Business Services - Award recommended to: HOBBS, ONG & ASSOCIATES (Not to Exceed \$300,000 - Various Funds)

**Fiscal Impact**☐**No Impact****Amount:** NTE \$300,000☒**Budget Funds Available****Dept./Division:** Finance and Business Services☐**Augmentation Required****Funding Source:** Various Funds**PURPOSE/BACKGROUND:**

This contract is one of a group of three task order type contracts that provide for pre-negotiated labor rates for financial consulting services and pre-negotiated fees for debt issuance services from March 17, 2004 through December 31, 2006. Contract value is an estimate and funding will be provided through the award of each task order

This request is exempt from the competitive bidding procedures pursuant to NRS 332.115(b), professional services.

PCC: Denise Kaplan

POC: Kathy Ong - (702) 733-7223

**RECOMMENDATION:**

The City Council approve the award of Contract 040205 to Hobbs, Ong & Associates, from March 17, 2004 to December 31, 2006 in an amount not to exceed \$300,000 for the three years. Authority to execute contract on behalf of the City is given to the Purchasing Manager per R-145-2001.

**BACKUP DOCUMENTATION:**

Certificate - Disclosure of Ownership/Principals

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 25 – Approval of award of Contract 040205 to Hobbs, Ong & Associates

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Contract 040206, consultant contract for financial services - Department of Finance and Business Services - Award recommended to: JOHNSON CONSULTING GROUP (Not to Exceed \$300,000 - Various Funds)

**Fiscal Impact**☐**No Impact****Amount:** NTE \$300,000☒**Budget Funds Available****Dept./Division:** Finance and Business Services☐**Augmentation Required****Funding Source:** Various Funds**PURPOSE/BACKGROUND:**

This contract is one of a group of three task order type contracts that provide pre-negotiated labor rates for financial consulting services and pre-negotiated fees for debt issuance services from March 17, 2004 through December 31, 2006. Contract value is an estimate and funding will be provided through the award of each task order.

This request is exempt from the competitive bidding procedures pursuant to NRS 332.115 (b), professional services.

PCC: Denise Kaplan

POC: Marty Johnson - (702) 294-5100

**RECOMMENDATION:**

The City Council approve the award of Contract 040206 to Johnson Consulting Group, from March 14, 2004 to December 31, 2006 in an amount not to exceed \$300,000 for the three years. Authority to execute contract on behalf of the City is given to the Purchasing Manager per R-145-2001.

**BACKUP DOCUMENTATION:**

Certificate - Disclosure of Ownership/Principals

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 26 – Approval of award of Contract 040206 to Johnson Consulting Group

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of issuance of a purchase order for Panasonic Toughbook Computers - Department of Information Technologies - Award recommended to: PROTECH COMPUTER SYSTEMS, INC. (\$275,000 - Computer Services Internal Service Fund)

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$275,000

☒

**Budget Funds Available**

**Dept./Division:** Information Technologies

☐

**Augmentation Required**

**Funding Source:** Computer Services ISF

**PURPOSE/BACKGROUND:**

Approval of this request will allow for the purchase of Panasonic Toughbook Computers for Public Works, Field Operations and Neighborhood Services. These toughbooks will allow assigned employees to generate, acknowledge and resolve work orders from the field through the use of the Hansen software application.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.115.1(g), hardware and associated peripheral equipment and devices for computers.

PCC: G. Leaf

POC: Dan Murphy - (303) 430-0433

CFN: 040249-GL

**RECOMMENDATION:**

That the City Council approve the issuance of a purchase order for Panasonic Toughbook Computers to ProTech Computer Systems, Inc. in the amount of \$275,000.

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and **MACK** also abstaining on Items 9-12 because his brother-in-law **ANDREW DONNER** has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother **STEVEN MACK** is the applicant, and on Items 28 and 46 because his brother **STEVEN MACK** owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED** under separate actions (see individual items)

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Finance and Business Services

Item 27 – Approval of issuance of a purchase order for Panasonic Toughbook Computers to Protech Computer Systems, Inc.

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Bid Number 040220-LED, Demolition of Fifteen Buildings, 1309 through 1425 Laurelhurst Drive and 4817 through 4917 Westmoreland Drive (excluding 4909 Westmoreland Drive), and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award Recommended to: INDUSTRIAL SUPPORT TECHNOLOGIES, INC. (\$103,250 - Affordable Housing Special Revenue Fund) - Ward 1 (Moncrief)

**Fiscal Impact**☐**No Impact****Amount:** \$103,250☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Affordable Housing SRF**PURPOSE/BACKGROUND:**

This project consists of the demolition of fifteen (15) buildings located at 1309 through 1425 Laurelhurst Drive and 4817 through 4917 Westmoreland Drive, excluding 4909 Westmoreland Drive. Work includes removal of all debris from the site and placement of dust suppressant. Each building is approximately 3400 square feet and consists of two floors.

PCC: L. E. Davis

POC: Skip Lowe - (702) 565-5949

**RECOMMENDATION:**

That City Council approve award of Bid Number 040220-LED, Demolition of 15 Buildings to Industrial Support Technologies, Inc. in the amount of \$103,250 and approve construction conflicts and contingency reserve of \$10,325. Authority to execute contract is given to Purchasing Manager per R-145-2001.

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:****APPROVED under separate actions (see individual items)**

CITY COUNCIL MEETING OF MARCH 17, 2004  
Consent – Finance and Business Services  
Item 28 – Bid No. 040220

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FIRE & RESCUE****DIRECTOR: DAVID L. WASHINGTON**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of the donation of one (1) 1997 F450 fire rescue unit to the Las Vegas Metropolitan Police Department (LVMPD) in accordance with Nevada Revised Statutes 332.185

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Fire/Support Services☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Las Vegas Fire & Rescue would like to donate one (1) F450 fire rescue unit (#1428) to the LVMPD. The unit has an odometer reading of 64,749 and is considered retired from the Fire Department's current emergency fleet. This rescue unit would be used specifically during Special Weapons and Tactics (SWAT) operations and would initially prevent our fire personnel from responding as a stand-by unit to these types of calls which could last many hours. Metro plans on using a LVMPD Physician and a SWAT Medic to staff the rescue unit. This action is allowed according to NRS 332.185. The estimated value of this vehicle is between \$5,000 and \$8,000.

**RECOMMENDATION:**

Las Vegas Fire & Rescue recommends approval.

**BACKUP DOCUMENTATION:**

Bill of Sale

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:****APPROVED under separate actions (see individual items)****MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2003**

**DEPARTMENT: HUMAN RESOURCES**

**DIRECTOR: F. CLAUDETTE ENUS**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**ABEYANCE ITEM** - Approval and settlement of contract language between the City of Las Vegas and the Las Vegas Police Protective Association (LVPPA) (\$560,000 - General Fund)

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$560,000

☐

**Budget Funds Available**

**Dept./Division:** City Manager

☒

**Augmentation Required**

**Funding Source:** General Fund

**PURPOSE/BACKGROUND:**

Subsequent to the ratification of the Collective Bargaining Agreement with the LVPPA on November 19, 2003, a dispute arose over the interpretation and implementation of the retroactive adjustment of the Article 17 (Wages). The incremental increase in cost of moving all individuals two steps is \$560,000 over the four year contract, including \$396,000 that would require augmentation to the FY04 budget for current and retroactive adjustments.

**RECOMMENDATION:**

Approve settlement contract language and payment of wage adjustments.

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**GOODMAN – APPROVED as recommended – UNANIMOUS**

**MINUTES:**

CITY MANAGER SELBY explained that this arose as a result of a dispute after the contract was settled with the Police Protective Association in November 2003. The dispute was over the steps, salary range, and employee eligibility for those steps. Staff recommends resolution in favor of the Association's position, as their representations and arguments are compelling as to such.

MAYOR GOODMAN advised that he met with CITY MANAGER SELBY and CLAUDETTE ENUS, Director of Human Resources, to discuss changes in future contract negotiations. MAYOR GOODMAN desires that negotiations take place in a timely fashion and that staff seek legislation to amend the laws regarding binding arbitration, which puts the City at a distinct disadvantage due to the lack of consensus.

(10:02 – 10:04)

**1-1803**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: NEIGHBORHOOD SERVICES**

**DIRECTOR: ORLANDO SANCHEZ**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of First Amendment to Housing Opportunities for Persons with AIDS (HOPWA) Program Agreement between the City of Las Vegas and Diversity Leadership Institute located at 1110 Ralston Drive - Ward 5 (Weekly)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:** Neigh. Svcs./Neigh. Devel.

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Diversity Leadership Institute currently provides housing and supportive services to formerly incarcerated persons living with HIV/AIDS during their transition from the criminal justice system to the community. City Council approved Diversity Leadership Institute's current Agreement on March 10, 2002. In order to attain identified objectives, restructuring of allocated funds within original budget is required.

**RECOMMENDATION:**

Staff recommends approval and authorization of the Mayor to execute the Amended Agreement with Diversity Leadership Institute.

**BACKUP DOCUMENTATION:**

First Amendment to Housing Opportunities for Persons With AIDS (HOPWA) Program Agreement

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of the Department of Justice sponsored City of Las Vegas Weed and Seed Initiative Interlocal Agreement in the amount of \$114,030 with the Las Vegas Metropolitan Police Department Downtown Area Command - Wards 3 and 5 (Reese and Weekly)

**Fiscal Impact**☐**No Impact****Amount:** \$114,030☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** Weed and Seed**PURPOSE/BACKGROUND:**

The city of Las Vegas Weed and Seed Initiative FY 2003 grant award included \$114,030 for the LVMPD. Funding will be utilized to implement the Downtown Area Command Community Response Team Policing Project located within the Downtown Weed and Seed site and Bolden Area Command Community Oriented Policing Project located in West Las Vegas. The project is designed to offer the Downtown and WLW Weed and Seed targeted area proactive and preventive policing. Overtime assignment of officers will focus on suppression, eradicating open drug/prostitution markets, and associated criminal activity.

**RECOMMENDATION:**

Staff recommends approval of the Department of Justice sponsored Weed and Seed Interlocal Agreement between the city of Las Vegas and Las Vegas Metropolitan Police Department.

**BACKUP DOCUMENTATION:**

Weed and Seed Interlocal Agreement between the City of Las Vegas and Metropolitan Police Department

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and **MACK** also abstaining on Items 9-12 because his brother-in-law **ANDREW DONNER** has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother **STEVEN MACK** is the applicant, and on Items 28 and 46 because his brother **STEVEN MACK** owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 & 30:****APPROVED** under separate actions (see individual items)**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Interlocal Agreement for Shared Funding of Regional Homeless Coordination with Clark County, Henderson, North Las Vegas, and Boulder City to contribute \$23,800 of General Weather Shelter Funds for a Regional Homeless Services Coordinator in fulfillment of the Homelessness Intervention Proposal adopted by the Southern Nevada Regional Planning Coalition (SNRPC) Board on September 25, 2003 - All Wards

**Fiscal Impact**☐**No Impact****Amount:** \$23,800☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Admin.☐**Augmentation Required****Funding Source:** General Funds-Weather Shelter**PURPOSE/BACKGROUND:**

As part of the Homelessness Intervention Proposal accepted in September 2003, the Board of the SNRPC approved the creation of a Regional Homeless Services Coordinator that would coordinate homeless services, funding opportunities, and priorities regarding homelessness in Southern Nevada. To finance the Regional Homeless Services Coordinator position, the Board of the SNRPC approved an investment of \$70,000 to be shared among the local government entities on a population-based formula. This interlocal agreement concerns the contribution of \$23,800 by the city of Las Vegas to regional homeless coordination.

**RECOMMENDATION:**

Staff recommends approval of the interlocal agreement with Clark County, Henderson, North Las Vegas, and Boulder City to contribute \$23,800 for a Regional Homeless Services Coordinator in fulfillment of the Homelessness Intervention Proposal adopted by the SNRPC Board on September 25, 2003.

**BACKUP DOCUMENTATION:**

Interlocal Agreement for Shared Funding of Regional Homeless Coordination

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:****APPROVED under separate actions (see individual items)**

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Neighborhood Services

Item 33 - Approval of Interlocal Agreement for Shared Funding of Regional Homeless Coordination with Clark County, Henderson, North Las Vegas, and Boulder City to contribute \$23,800 of General Weather Shelter Funds for a Regional Homeless Services Coordinator in fulfillment of the Homelessness Intervention Proposal adopted by the Southern Nevada Regional Planning Coalition (SNRPC) Board on September 25, 2003 - All Wards

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Second Supplemental Interlocal Contract LAS.20.A.00 Rancho Road System Durango Drive/U.S. 95 Interchange between the City of Las Vegas and the Clark County Regional Flood Control District to increase the amount of the Interlocal Contract (\$1,896.70 - Clark County Regional Flood Control District) - Ward 6 (Mack)

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$1,896.70

☒

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:** Clark County Regional Flood Control District

**PURPOSE/BACKGROUND:**

Second Supplemental Interlocal Contract LAS.20.A.00 will decrease funding for construction engineering and increase funding for construction. This increase is necessary to cover increased construction costs. The Regional Flood Control District approved this contract at their February 12, 2004 meeting. Total cost of this project shall not exceed \$448,364.70.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Second Supplemental Interlocal Contract LAS.20.A.00

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Interlocal Contract LAS.09.T.04 between the City of Las Vegas and the Clark County Regional Flood Control District for construction management and construction of the Freeway Channel, Charleston Lateral (\$3,994,680 - Clark County Regional Flood Control District) - Wards 1 and 2 (Moncrief and L.B. McDonald)

**Fiscal Impact**☐**No Impact****Amount:** \$3,994,680☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** Clark County Regional Flood Control District**PURPOSE/BACKGROUND:**

This Interlocal Contract applies to the construction management and construction associated with the Freeway Channel, Charleston Lateral. This project is further identified on Exhibit "A" which is attached to and part of the Interlocal Contract. The basic improvements shall consist of appurtenances as may be necessary to control floodwaters. The Regional Flood Control District approved this contract at their February 12, 2004 meeting. Total cost for this contract shall not exceed \$3,994,680.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Interlocal Contract LAS.09.T.04

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:****APPROVED under separate actions (see individual items)****MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Interlocal Contract LAS.10.W.04 between the City of Las Vegas and the Regional Flood Control District for construction management and construction of Lone Mountain System, Lone Mountain Detention Basin Outfall to Durango (\$3,283,000 - Clark County Regional Flood Control District) - Ward 4 (Brown)

**Fiscal Impact**☐**No Impact****Amount:** \$3,283,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** Clark County Regional Flood Control District**PURPOSE/BACKGROUND:**

This Interlocal Contract applies to the construction management and construction of the Lone Mountain System, Lone Mountain Detention Basin Outfall to Durango. This project is further identified on Exhibit "A" which is attached to and part of the Interlocal Contract. The basic improvements shall consist of appurtenances as may be necessary to control floodwaters. The Regional Flood Control District approved this contract at their February 12, 2004 meeting. Total cost for this contract shall not exceed \$3,283,000.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Interlocal Contract LAS.10.W.04

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:****APPROVED under separate actions (see individual items)****MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Interlocal Contract #462 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada for the Mountain Edge Parkway Corridor Study (\$1,000,000 - Regional Transportation Commission) - Ward 6 (Mack)

**Fiscal Impact**☐**No Impact****Amount:** \$1,000,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** Regional Transportation Commission**PURPOSE/BACKGROUND:**

This Interlocal Contract applies to a corridor study for Mountain Edge Parkway, it will analyze alternate corridors and will identify, map and quantify the optimum components of a limited access parkway supporting the arterial network. This Interlocal Contract will also allow the development of a traffic study/report that will analyze existing data as provided by the City and RTC with regard to the Mountain Edge Parkway. The Regional Transportation Commission approved this contract at their February 12, 2004 meeting Total cost of this study shall not exceed \$1,000,000.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Interlocal Contact #462

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:****APPROVED under separate actions (see individual items)****MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of Interlocal Contract #463 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada for the Entity Non-Project Specific Expenses (\$101,000 - Regional Transportation Commission) - All Wards

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$101,000

☒

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:** Regional Transportation Commission

**PURPOSE/BACKGROUND:**

This Interlocal Contract applies to the reimbursement of non-project specific expenses, by the City of Las Vegas, to expedite Regional Transportation Commission funded projects and to allow for the reimbursement of expenses related to work on Regional Transportation Commission issues that are not attributable to a specific project. The Regional Transportation Commission approved this contract at their February 12, 2004 meeting. Reimbursement from the period of October 1, 2003 to June 30, 2004 shall not exceed \$101,000.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Interlocal Contract #463

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Reimbursement Agreement for Storm Sewer Oversizing with Centex Homes for the Santa Bella 4 project (\$85,400 - Capital Project Fund) - Ward 6 (Mack)

**Fiscal Impact**☐**No Impact****Amount: \$85,400**☒**Budget Funds Available****Dept./Division: Public Works/City Engineer**☐**Augmentation Required****Funding Source: Capital Projects Fund****PURPOSE/BACKGROUND:**

Centex Homes, Inc. is developing property known as "Santa Bella 4". This agreement provides \$85,400 for storm sewer over sizing costs for 54 inch storm sewer on Durango Drive from Racel Street to Ackerman Avenue. Location of the over sizing is explained on the attached Exhibit "A". The basis for the over sizing is 700 L.F. x \$122 L.F. Total costs for this project shall not exceed \$85,400.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Reimbursement Agreement Storm Sewer Oversizing

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:****APPROVED under separate actions** (see individual items)**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval to file a Right-of-Way Grant with the Bureau of Land Management for roadway, sanitary sewer and drainage purposes on portions of land lying within Sections 31, 32 and 33 of Township 18 South, Range 60 East and portions of the Northeast Quarter and the Northwest Quarter of Section 5, Township 19 South, Range 60 East, Mount Diablo Meridian, generally located on the north and south sides of the Moccasin Road alignment between the Fort Apache Road alignment and the Durango Drive alignment, APNs 100-31-000-001, 100-32-000-001, 100-33-000-001, 125-05-101-002, -003 and 125-05-503-001 - Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

☐

**Budget Funds Available**

☐

**Augmentation Required**

**Amount:**

**Dept./Division:** Public Work/City Engineer

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of a Declaration of Utilization from the Bureau of Land Management for portions of the Northwest Quarter of Section 18, Township 19 South, Range 60 East, Mount Diablo Meridian, for roadway, sanitary sewer and drainage purposes located on the south side of the Gilcrease Avenue alignment, west of the Grand Canyon Drive alignment, APNs 125-18-201-002,-003 and -012 – Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of an Encroachment Request from Wright Civil Engineers on behalf of William and Wanda Peccole 1991 Trust, owner (northeast corner of Hualapai Way and Alta Drive) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed encroachment shall consist of an approximate 10' wide area of landscaping on the east side of Hualapai Way extending northward for approximately 200' from Alta Drive and an approximate 10' wide area of landscaping on the north side of Alta Drive extending approximately 200' eastward from Hualapai Way consisting of trees, shrubs, ground cover, and an irrigation system for the proposed Peccole Office Building. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Copy of Encroachment Exhibit "A" (northeast corner of Hualapai Way and Alta Drive)

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Manuel Mojicar and H. Danielle Rios, owners (south of Craig Road, east of Kevin Way, APN 138-05-301-050) - County (near Ward 6 - Mack)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This request is to connect a single family dwelling south of Craig Road, east of Kevin Way. The owners propose to extend the 12" sewer line in Craig Road with a terminal manhole and stub to the west. A 20' wide public sewer easement required from adjacent property to the east. The Planning Department determined the project does conform to the City's General Plan for the area; there is sufficient capacity in City Sanitary Sewer. The applicants have signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

**RECOMMENDATION:**

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

**BACKUP DOCUMENTATION:**

Agenda Memo

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 & 30:****APPROVED under separate actions (see individual items)****MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - KJE Consulting Engineers, Inc. on behalf of Robert L. Feldman, owner (northeast corner of Jensen Street and Alexander Road, APN 138-06-401-005) - County (near Ward 4 - Brown)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This request is to connect 9 single family dwellings located northeast corner of Jensen Street and Alexander Road. The owner proposes to connect to the sewer line in Alexander Road. The development must precede the Alexander/Hualapai roadway improvement project which will result in a 5-year no cut policy in Alexander Road. The Planning Department has determined the project does conform to the City's General Plan for the area. The applicant signed a "Sewer Connection Agreement." This property is located within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

**RECOMMENDATION:**

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

**BACKUP DOCUMENTATION:**

Agenda Memo

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 & 30:****APPROVED under separate actions (see individual items)****MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: RICHARD D. GOECKE**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

Approval of an Encroachment Request from G.C. Wallace, Incorporated, on behalf of D.R. Horton, Incorporated, owner (southwest corner of Decatur Boulevard and Dorrell Lane) - Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:** Public Works/City Engineer

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed encroachment shall consist of landscaping at the southwest corner of Decatur Boulevard and Dorrell Lane and at the northwest corner of Decatur Boulevard and Deer Springs Way consisting of trees, shrubs, ground cover, and an irrigation system for the proposed Dorrell Square commercial center. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Copy of Encroachment Exhibit "A" (Decatur Boulevard between Dorrell Lane and Deer Springs Way)

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Work Authorization and Agreement with Ninyo & Moore for project monitoring during the demolition activities of the fifteen condominium buildings located at 1309-1425 Laurelhurst Drive and 4817-4917 Westmoreland Drive (excluding 4909 Westmoreland Drive) (\$39,532 - Affordable Housing Special Revenue Fund) - Ward 1 (Moncrief)

**Fiscal Impact**☐**No Impact****Amount:** \$39,532☒**Budget Funds Available****Dept./Division:** PW/Real Estate & Assets☐**Augmentation Required****Funding Source:** Affordable Housing SRF**PURPOSE/BACKGROUND:**

The scope of work will include full-time monitoring during the demolition activities of the buildings, collect air samples, analyze these air samples, prepare daily air monitoring reports and daily project reports. Ninyo & Moore will provide the labor, equipment, and materials. A final written report will be prepared at the conclusion of the service.

**RECOMMENDATION:**

Staff recommends approval

**BACKUP DOCUMENTATION:**

Work Authorization and Agreement

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 & 30:****APPROVED under separate actions (see individual items)****MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-34-2004** - Approval of a Resolution directing the City Treasurer to prepare the Forty-First Assessment Lien Apportionment Report for Special Improvement District No. 404 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of street, water, sanitary sewer, storm sewer, curb and gutter project. Parcel is located in Trails Village Center South.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-34-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-35-2004** - Approval of a Resolution approving the Forty-First Assessment Lien Apportionment Report for Special Improvement District No. 404 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of street, water, sanitary sewer, storm sewer, curb and gutter project. Parcel is located in Trails Village Center South.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-35-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30: APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

---

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-36-2004** - Approval of a Resolution directing the City Treasurer to prepare the Twentieth Assessment Lien Apportionment Report for Special Improvement District No. 505 - Elkhorn Springs Area (Levy Assessments) - Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquiring and improving a street, road, water, sanitary sewer, storm sewer, curb and gutter and sidewalk project in the Elkhorn Springs Area.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-36-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and **MACK** also abstaining on Items 9-12 because his brother-in-law **ANDREW DONNER** has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother **STEVEN MACK** is the applicant, and on Items 28 and 46 because his brother **STEVEN MACK** owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-37-2004** - Approval of a Resolution approving the Twentieth Assessment Lien Apportionment Report for Special Improvement District No. 505 - Elkhorn Springs Area (Levy Assessments) - Ward 6 (Mack)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquiring and improving a street, road, water, sanitary sewer, storm sewer, curb and gutter and sidewalk project in the Elkhorn Springs Area.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-37-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-38-2004** - Approval of a Resolution directing the City Treasurer to prepare the Seventy-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 707 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of street, road, sanitary sewer, storm/drainage improvements, and water main projects. Parcel is located in Summerlin Village 12 Business Park.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-38-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and **MACK** also abstaining on Items 9-12 because his brother-in-law **ANDREW DONNER** has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother **STEVEN MACK** is the applicant, and on Items 28 and 46 because his brother **STEVEN MACK** owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED** under separate actions (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-39-2004** - Approval of a Resolution approving the Seventy-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 707 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of street, road, sanitary sewer, storm/drainage improvements, and water main projects. Parcel is located in Summerlin Village 12 Business Park.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-39-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and **MACK** also abstaining on Items 9-12 because his brother-in-law **ANDREW DONNER** has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother **STEVEN MACK** is the applicant, and on Items 28 and 46 because his brother **STEVEN MACK** owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 & 30:**

**APPROVED** under separate actions (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-40-2004** - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Sixth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Los Lomas at the Paseos.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-40-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-41-2004** - Approval of a Resolution approving the Fifty-Sixth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Los Lomas at the Paseos.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-41-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-42-2004** - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Seventh Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Coronado at Summerlin.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-42-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED** under separate actions (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-43-2004** - Approval of a Resolution approving the Fifty-Seventh Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Coronado at Summerlin.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-43-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-44-2004** - Approval of a Resolution directing the City Treasurer to prepare the Seventh Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Los Lomas at the Paseos.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-44-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-45-2004** - Approval of a Resolution approving the Seventh Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Los Lomas at the Paseos.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-45-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-46-2004** - Approval of a Resolution directing the City Treasurer to prepare the Eighth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Coronado at Summerlin.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-46-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-47-2004** - Approval of a Resolution approving the Eighth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Coronado at Summerlin.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-47-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-48-2004** - Approval of a Resolution directing the City Treasurer to prepare the Ninth Assessment Lien Apportionment Report for Special Improvement District No. 1447 - Buffalo/Cheyenne Area (Levy Assessments) - Ward 4 (Brown)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Installation of paving, "L" type curb and gutter, sidewalk, streetlights, commercial driveway approaches, potable water laterals, a potable water distribution main, sanitary sewer laterals, and a sanitary sewer collection main along Washington Avenue, Buffalo Drive and Cheyenne Avenue.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-48-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and **MACK** also abstaining on Items 9-12 because his brother-in-law **ANDREW DONNER** has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother **STEVEN MACK** is the applicant, and on Items 28 and 46 because his brother **STEVEN MACK** owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

**RESOLUTIONS:**

**R-49-2004** - Approval of a Resolution approving the Ninth Assessment Lien Apportionment Report for Special Improvement District No. 1447 - Buffalo/Cheyenne Area (Levy Assessments) - Ward 4 (Brown)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Installation of paving, "L" type curb and gutter, sidewalk, streetlights, commercial driveway approaches, potable water laterals, a potable water distribution main, sanitary sewer laterals, and a sanitary sewer collection main along Washington Avenue, Buffalo Drive and Cheyenne Avenue.

**RECOMMENDATION:**

It is recommended that the City Council adopt this Resolution.

**BACKUP DOCUMENTATION:**

Resolution No. R-49-2004

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and **MACK** also abstaining on Items 9-12 because his brother-in-law **ANDREW DONNER** has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother **STEVEN MACK** is the applicant, and on Items 28 and 46 because his brother **STEVEN MACK** owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30: APPROVED under separate actions** (see individual items)

**MINUTES:**

There was no discussion.

(9:49 – 9:53)

1-1314

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Communications Systems Right of Way and Easement Deed granting approximately 561 square feet of land from the City of Las Vegas to Central Telephone Company (doing business as) Sprint, located in the vicinity of Tenaya Way and Prairie Falcon Road commonly referred to as the Las Vegas Technology Center - Ward 4 (Brown)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Due to safety/business needs and damage to an existing above ground connection box (x-box), Sprint requested site listed above as it will commensurate with good engineering, design, aesthetics and safety. Sprint will install underground cable/conduit, a 12' x 12' telephone equipment pad, relocate all existing underground sprinkler heads/conduits, guarantee the system is working to its current level of operation & restore all landscape to original or better condition. Sprint is obligated to place a 6-foot decorative wall that is 3-sided to match existing aesthetics around its proposed Pad Site.

**RECOMMENDATION:**

The 3/15/2004 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

1. Communications Systems Right of Way and Easement Deed
2. Sprint justification letter
3. Pictures of damage to existing above ground connection box (x-box)
4. 1/21/04 Letter from Sprint

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 & 30:****APPROVED** under separate actions (see individual items)



CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Real Estate

Item 63 – Approval of a Communications Systems Right of Way and Easement Deed granting approximately 561 square feet of land from the City of Las Vegas to Central Telephone Company (doing business as) Sprint, located in the vicinity of Tenaya Way and Prairie Falcon Road commonly referred to as the Las Vegas Technology Center - Ward 4 (Brown)

**MINUTES:**

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that each item be approved by the City Council.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of an Aerial Right of Way Grant between the City of Las Vegas and Nevada Power Company for 30,081 square feet of an Easement Area located above a portion of APN 139-25-701-002 - along Washington Avenue in between Pecos Road and Mojave Road commonly referred to as Freedom Park (\$41,211 revenue - Public Works/Real Estate) - Ward 3 (Reese)

**Fiscal Impact**☒**No Impact****Amount:** \$41,211 revenue☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On 1/14/04, Public Works/Real Estate received a letter from HMH, Inc. HMH has been contracted by Nevada Power to acquire additional rights of way for the Pecos-Artesian 138kV transmission line located along Washington Avenue. This project involves: replacing a pole, reframing poles and replacing one of the circuits. An independent appraisal has appraised the right of way and Nevada Power is offering the City \$42,113 for the Aerial Right of Way Grant.

**RECOMMENDATION:**

The 3/15/2004 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

1. Aerial Right of Way Grant
2. 1/14/02 HMH letter
3. NV Power Aerial Map

**MOTION:**

**REESE – APPROVED** Items 3-8, 14-29, and 31-68 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and **MACK** also abstaining on Items 9-12 because his brother-in-law **ANDREW DONNER** has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother **STEVEN MACK** is the applicant, and on Items 28 and 46 because his brother **STEVEN MACK** owns property near those locations and the scope of the projects could have an impact on his brother's property

**Items 9-13 &30:**

**APPROVED** under separate actions (see individual items)

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Real Estate

Item 64 - Approval of an Aerial Right of Way Grant between the City of Las Vegas and Nevada Power Company for 30,081 square feet of an Easement Area located above a portion of APN 139-25-701-002 - along Washington Avenue in between Pecos Road and Mojave Road commonly referred to as Freedom Park (\$41,211 revenue - Public Works/Real Estate) - Ward 3 (Reese)

**MINUTES:**

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that each item be approved by the City Council.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Memorandum of Understanding between the City of Las Vegas and Peccole Little League, a non-profit organization, for field modifications at Rainbow Family Park located at 7151 West Oakey Boulevard - Ward 1 (Moncrief)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Peccole Little League (PLL) has approached the Departments of Field Operations and Leisure Services for field modifications at Rainbow Family Park. PLL presently has permission for programming of the little league baseball games located at the park. The attached MOU puts in writing an agreement allowing for the modification of a batting cage at the park, along with the terms outlining the responsibility of maintaining and operating the cage.

**RECOMMENDATION:**

The 3/15/2004 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

1. MOU
2. Site map

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:****APPROVED under separate actions (see individual items)**

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Real Estate

Item 65 – Approval of [a Memorandum of Understanding between the City of Las Vegas and Peccole Little League, a non-profit organization, for field modifications at Rainbow Family Park located at 7151 West Oakey Boulevard - Ward 1 \(Moncrief\)](#)

**MINUTES:**

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that each item be approved by the City Council.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of Option Agreement for Parcel #1 with Affordable Housing Resource Council as the developer to purchase approximately five (5) acres of City of Las Vegas land located in the vicinity of Silver Sky Drive and Roland Wiley Road for development and construction of a senior assisted living project - Ward 2 (L.B. McDonald)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Bureau of Land Management conveyed this parcel of land to the City of Las Vegas by legislation for affordable housing development. Through a Request for Application process, the Model Assisted Living Advisory Committee (MALAC) chaired by Assemblywoman Barbara Buckley, this developer was selected to design, build and manage an assisted living facility to serve low-income seniors. This Option to Purchase is a requirement for receiving allocated tax credits and funding to build the project.

**RECOMMENDATION:**

The 3/15/2004 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

Option Agreement

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Real Estate

Item 66 – Approval of Option Agreement for Parcel #1 with Affordable Housing Resource Council as the developer to purchase approximately five (5) acres of City of Las Vegas land located in the vicinity of Silver Sky Drive and Roland Wiley Road for development and construction of a senior assisted living project - Ward 2 (L.B. McDonald)

**MINUTES:**

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that each item be approved by the City Council.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of Option Agreement for Parcel #2 with Affordable Housing Resource Council as the developer to purchase approximately two and a half (2.5) acres of City of Las Vegas land located in the vicinity of Silver Sky Drive and Roland Wiley Road for development and construction of senior housing - Ward 2 (L.B. McDonald)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Bureau of Land Management conveyed this parcel of land to the City of Las Vegas by legislation for affordable housing development. Through a Request for Application process, the Model Assisted Living Advisory Committee (MALAC) chaired by Assemblywoman Barbara Buckley, this developer was selected to design, build and manage affordable housing to serve low-income seniors. This Option to Purchase is a requirement for making a FY2005-2006 HUD 202 Senior Housing application for funding.

**RECOMMENDATION:**

The 3/15/2004 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

Option Agreement

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**



CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Real Estate

Item 67 – Approval of Option Agreement for Parcel #2 with Affordable Housing Resource Council as the developer to purchase approximately two and a half (2.5) acres of City of Las Vegas land located in the vicinity of Silver Sky Drive and Roland Wiley Road for development and construction of senior housing - Ward 2 (L.B. McDonald)

**MINUTES:**

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that each item be approved by the City Council.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of Option Agreement for Parcel #3 with Affordable Housing Resource Council as the developer to purchase approximately two and a half (2.5) acres of City of Las Vegas land located in the vicinity of Silver Sky Drive and Roland Wiley Road for development and construction of senior housing - Ward 2 (L.B. McDonald)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Bureau of Land Management conveyed this parcel of land to the City of Las Vegas by legislation for affordable housing development. Through a Request for Application process, the Model Assisted Living Advisory Committee (MALAC) chaired by Assemblywoman Barbara Buckley, this developer was selected to design, build and manage affordable housing to serve low-income seniors. This Option to Purchase is a requirement for making a future HUD 202 Senior Housing application for funding.

**RECOMMENDATION:**

The 3/15/2004 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

Option Agreement

**MOTION:**

**REESE – APPROVED Items 3-8, 14-29, and 31-68 – UNANIMOUS with L.B. McDONALD abstaining on Items 9-12 due to direct competition with Station Casinos, for which she serves as outside director, and MACK also abstaining on Items 9-12 because his brother-in-law ANDREW DONNER has a contract with the Lady Luck Casino, a competitor of Barrick Gaming, on Item 18 because his brother STEVEN MACK is the applicant, and on Items 28 and 46 because his brother STEVEN MACK owns property near those locations and the scope of the projects could have an impact on his brother's property**

**Items 9-13 &30:**

**APPROVED under separate actions (see individual items)**

CITY COUNCIL MEETING OF MARCH 17, 2004

Consent – Real Estate

Item 68 – Approval of Option Agreement for Parcel #3 with Affordable Housing Resource Council as the developer to purchase approximately two and a half (2.5) acres of City of Las Vegas land located in the vicinity of Silver Sky Drive and Roland Wiley Road for development and construction of senior housing - Ward 2 (L.B. McDonald)

**MINUTES:**

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that each item be approved by the City Council.

(9:49 – 9:53)

**1-1314**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY MANAGER'S OFFICE****DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Discussion and possible action regarding the Darling Tennis Center Endowment Agreement for perpetual maintenance and the naming of the Buffalo/Washington Tennis Center pursuant to that agreement – Ward 4 (Brown)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City is currently developing a tennis facility on land leased from BLM under the Recreation and Public Purposes Act. The Amanda and Stacy Darling Memorial Foundation has presented this proposed Endowment Agreement to the City as a means of contributing \$1,000,000 to the City toward the perpetual maintenance of the tennis facility in loving memory of Amanda Carol Darling, Stacy Lynn Darling and Ronald Craig Darling.

**RECOMMENDATION:**

Approve the Darling Tennis Center Endowment Agreement and the naming of the tennis facility pursuant to that agreement.

**BACKUP DOCUMENTATION:**

1. Darling Tennis Center Endowment Agreement
2. Submitted at meeting: amended Endowment Agreement

**MOTION:****L.B. McDONALD – APPROVED Amended Agreement – UNANIMOUS**

NOTE: COUNCILMAN MACK disclosed that, although he is a consultant for a nearby SuperPawn shop owned by his brother STEVEN MACK, he would be voting as he did not believe this proposal would have any material impact on his brother's business.

**MINUTES:**

SANDY FOLEY and FRED DARLING were present.

DEPUTY CITY MANAGER FRETWELL indicated this type of agreement is new for the City. The endowment will be established with \$750,000 up front, with subsequent annual contributions in the amount of \$50,000 over the next five years. From this endowment, the City will be able to offset some operating costs for this facility. She requested an amendment to add the words "attached hereto" on the fourth line of Section 1 in order to attach conceptual drawings, and amend Section 2 to allow MR. DARLING a 30-day period to provide the monies.

CITY COUNCIL MEETING OF MARCH 17, 2004

Administrative

Item 69 – Discussion and possible action regarding the Darling Tennis Center Endowment Agreement for perpetual maintenance and the naming of the Buffalo/Washington Tennis Center pursuant to that agreement

**MINUTES – Continued:**

COUNCILWOMAN McDONALD was very excited about this project coming to fruition. She explained that this was a project that the Nevada Tennis Association was trying to convince the County to undertake, but the County kept turning it down. Shortly thereafter, she met with MS. FOLEY and MR. DARLING regarding this project. With the commitment of the entire City Council, the project has become a reality. She expressed her sincere appreciation to MS. FOLEY for her perseverance in this process and to MR. DARLING for his generosity. It is heartwarming to think about the heartaches MR. DARLING underwent with the loss of his children and to have them memorialized and their legacy continued in this fashion. They will live on and thousands of children in this community will be able to learn and love the game that his children loved so much in their lifetimes. She and the community will forever be indebted to MR. DARLING.

COUNCILMAN BROWN concurred with the comments of COUNCILWOMAN McDONALD. He thanked MS. FOLEY for her patience through this long trying process. He noted that MR. DARLING has dedicated his life to youth sports in this community, not just to tennis. He is also very dedicated and devoted to the Legion Program. He is a wonderful, humble man. His contributions have made Las Vegas the kind of place in which people want to live.

The Councilmembers then all stepped down to the podium where COUNCILWOMAN McDONALD presented MR. DARLING with a plaque and a framed rendering of the tennis facility as tokens of their gratitude. MR. DARLING expressed his appreciation to the Council, especially to COUNCILWOMAN McDONALD and COUNCILMAN BROWN. He also thanked MS. FOLEY for her hard work, but asked that the members of the Association, who were in the audience, stand in recognition, for they made this happen through all their hard work. MAYOR GOODMAN noted that the facility is a world-class complex.

(10:04 – 10:15)

**1-1884**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY MANAGER****DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

**ABEYANCE ITEM** - Discussion and possible action regarding a Memorandum of Understanding between the City of Las Vegas and Sher Development, LLC granting Sher Development a two year exclusive negotiation period to conduct feasibility studies and negotiate a Disposition and Development Agreement with the City for the development of a zoo on the Floyd Lamb State Park site owned by the State of Nevada – Ward 6 (Mack)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City is currently in discussions with the State of Nevada concerning the potential transfer of the Floyd Lamb State Park site to the City of Las Vegas. Sher Development, LLC has approached the City Council with a proposal to develop and operate a zoo on the Park site, the revenues from which could potentially offset maintenance costs of the Park. Sher Development is willing to expend up to \$2,000,00 for the feasibility studies necessary to determine whether such a zoo is appropriate and viable without any expenditure by the City. Sher Development has request that in exchange for such expenditures for the feasibility studies, it be granted a two-year exclusive negotiation period so that the City will not negotiate with any other entities during the feasibility period for the development of a zoo within the City.

**RECOMMENDATION:**

Approve the Memorandum of Understanding, granting Sher Development the exclusive two-year negotiation period within which to conduct the feasibility studies and draft a proposed Disposition and Development Agreement for consideration by the City Council.

**BACKUP DOCUMENTATION:**

1. Memorandum of Understanding with disclosure of principals attachment
2. Submitted at meeting: amended Memorandum of Understanding dated 3/10/2004
3. Submitted at meeting: Feasibility Assessment Team sheet with attached Feasibility Study
4. Submitted at meeting: Copy of written comments of Tom McGowan

**MOTION:****MACK – APPROVED the amended MOU - UNANIMOUS**

CITY COUNCIL MEETING OF MARCH 17, 2004

Administrative

Item 70 - Discussion and possible action regarding a Memorandum of Understanding between the City of Las Vegas and Sher Development, LLC granting Sher Development a two year exclusive negotiation period to conduct feasibility studies and negotiate a Disposition and Development Agreement with the City for the development of a zoo on the Floyd Lamb State Park site owned by the State of Nevada – Ward 6 (Mack)

**MINUTES:**

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

**APPEARANCES:**

OSCAR GOODMAN, Mayor

LARRY BROWN, Councilman

DOUG SELBY, City Manager

ROGER BULLOCK, Senior Vice President, Bank of America

LAWRENCE WEEKLY, Councilman

ED SHER, Sher Development

LYNETTE BOGGS McDONALD, Councilwoman

JANET MONCRIEF, Councilwoman

LARRY BROWN, Councilman

MICHAEL MACK, Councilman

GARY REESE, Councilman

TOM MCGOWAN, Las Vegas resident

BRAD JERBIC, City Attorney

BARBARA JO RONEMUS, City Clerk

(10:15 – 10:45)

**1-2406/2-1**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY MANAGER**

**DIRECTOR: DOUGLAS A. SELBY**

☐

CONSENT

☒

DISCUSSION

**SUBJECT:**

ADMINISTRATIVE:

**TABLED ITEM** - Discussion and possible action to establish an employment policy for state legislators and other elected or appointed government officials

**Fiscal Impact**

☒

No Impact

**Amount:**

☐

Budget Funds Available

**Dept./Division:**

☐

Augmentation Required

**Funding Source:**

**PURPOSE/BACKGROUND:**

Recent events have called attention to the need to establish a policy to address the employment of state legislators and other elected and appointed government officials by the City of Las Vegas. Staff will present policy options for consideration by the City Council.

**RECOMMENDATION:**

Receive a presentation and direct staff to prepare an appropriate policy

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE – ABEYANCE to 4/7/2004 with direction to City Manager to devise options to be brought before Council for consideration – motion carried with L.B. McDONALD voting NO**

**MINUTES:**

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

**APPEARANCES:**

OSCAR GOODMAN, Mayor

MICHAEL MACK, Councilman

DOUG SELBY, City Manager

GARY REESE, Councilman

LYNETTE BOGGS McDONALD, Councilwoman

TOMMY RICKETTS, President, City Employees Association

LARRY BROWN, Councilman

BRAD JERBIC, City Attorney

TODD FARLOW, 240 N. 19<sup>th</sup> Street

TOM McGOWAN, Las Vegas resident



CITY COUNCIL MEETING OF MARCH 17, 2004

Administrative

Item 71 – Discussion and possible action to establish and employment policy for state legislators and other elected or appointed government officials

**MINUTES – Continued:**

NOTE: MAYOR GOODMAN directed CITY ATTORNEY JERBIC to research the reason behind the Charter's prohibition of government employees working for other government entities, such as a City employee working for the County.

(10:45 – 11:15)

**2-160**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT:** CITY ATTORNEY

**DIRECTOR:** BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

**SUBJECT:**

Discussion and possible action on Appeal of Work Card Denial: Charles H. Lloyd, 301 Orland Street #25, Las Vegas, Nevada 89108

**Fiscal Impact**

☒

No Impact

**Amount:**

☐

Budget Funds Available

**Dept./Division:**

☐

Augmentation Required

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**BACKUP DOCUMENTATION:**

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

**MOTION:**

**REESE – Motion to bring forward and Hold in ABEYANCE Items 72 and 75 to 4/21/2004 and STRIKE Items 73 and 100 – UNANIMOUS**

**MINUTES:**

There was no discussion.

(9:47 – 9:49)

1-1256

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT:** CITY ATTORNEY

**DIRECTOR:** BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

**SUBJECT:**

Discussion and possible action on Appeal of Work Card Denial: Denise Windom Patchell, c/o Harrah's, Room 1665, 3475 S. Las Vegas Boulevard, Las Vegas, Nevada 89109

**Fiscal Impact**

☒

No Impact

**Amount:**

☐

Budget Funds Available

**Dept./Division:**

☐

Augmentation Required

**Funding Source:**

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**[BACKUP DOCUMENTATION:](#)**

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

**MOTION:**

**REESE – Motion to bring forward and Hold in ABEYANCE Items 72 and 75 to 4/21/2004 and STRIKE Items 73 and 100 – UNANIMOUS**

**MINUTES:**

There was no discussion.

(9:47 – 9:49)

1-1256

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

Discussion and possible action regarding a Six-Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Six-Month Review of a Tavern License

**RECOMMENDATION:**

Recommendation to be provided following discussion of this item at the City Council meeting

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Submitted at meeting: Memoranda dated 3/16/2004 from City Attorney Jerbic regarding advice to disclose for Mayor Goodman and Councilman Mack on this item
3. Submitted at meeting: Summary of Compliance Measures for Treasures with attached Compliance Policy and Compliance Regulations packet, including a transcript under Tab 4 of Item 73 of 2/21/2001 Council meeting by Attorney Mark Fiorentino

**MOTION:**

**REESE – ABEYANCE to 6/16/2004 – UNANIMOUS with GOODMAN abstaining because his son ROSS GOODMAN is the attorney for Treasures and MACK abstaining because his company Mack Consulting has a contract with Treasures**

NOTE: COUNCILWOMAN McDONALD stated that she would be voting but disclosed that she is an outside director for Station Casinos, which holds privileged licenses for alcohol, as does the applicant. However, she has not discussed this item with the company, nor will her affiliation impact her judgment. She reviewed this matter with the City Attorney, who opined that this item would have no material impact on Station Casinos.

NOTE: CITY ATTORNEY JERBIC noted that MAYOR GOODMAN and COUNCILMAN MACK received a written opinion, which was submitted for the record, from his office regarding their conflicts and stating with specificity the factual circumstances. In accordance with NRS 281.035, this reduces the quorum of the Council from seven to five; therefore, three votes would be needed to carry a vote.

**MINUTES:**

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

CITY COUNCIL MEETING OF MARCH 17, 2004

Finance and Business Services

Item 74 - Discussion and possible action regarding a Six-Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)

**MINUTES – Continued:**

APPEARANCES:

OSCAR GOODMAN, Mayor

MICHAEL MACK, Councilman

BRAD JERBIC, City Attorney

GARY REESE, Councilman

LYNETTE BOGGS McDONALD, Councilwoman

JIM DiFIORE, Manager, Business Services

JOHN LORETTO, Detective, Las Vegas Metropolitan Police Department

STACY RODD, Detective, Las Vegas Metropolitan Police Department

JANET MONCRIEF, Councilwoman

MARK FIORENTINO, Attorney, Kummer, Kaempfer, Bonner, and Renshaw, appeared on behalf of the applicant

LAWRENCE WEEKLY, Councilman

LARRY BROWN, Councilman

BARBARA JO RONEMUS, City Clerk

NOTE: COUNCILMAN BROWN emphasized that at the February 2001 hearing on this matter, this Council decided to raise the bar for these types of businesses and questioned the implications this might bring. He requested Business Services staff provide a report within the next three months as to whether the City is on solid ground should legal action be necessitated. He also directed CITY ATTORNEY JERBIC to provide an opinion regarding the legal implications the Council's decision to raise the bar for this club might have on the rest of the industry.

NOTE: COUNCILWOMAN McDONALD stressed that all privileged licensees should be held to the same standard. She requested a comparison report be provided regarding the type of citations issued at downtown hotels relating to solicitation of prostitution.

(11:39 – 12:25)

**2-2143/3-1**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist License, Nicholas A. Hoover, dba Nicholas A. Hoover, 4200 East Bonanza Road, #123, Nicholas A. Hoover, 100% - Ward 3 (Reese)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist License

**RECOMMENDATION:**

Recommendation to be provided following discussion of this item at the City Council meeting

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Letter from Nicholas Hoover

**MOTION:**

**REESE – Motion to bring forward and Hold in ABEYANCE Items 72 and 75 to 4/21/2004 and STRIKE Items 73 and 100 – UNANIMOUS**

**MINUTES:**

There was no discussion.

(9:47 – 9:49)

**1-1256**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Hoover-Youshock Two Wahinie's "LTD", dba Lakeshore Salon and Day Spa, 2908 Lake East Drive, Rosemary Youshock, Dir, Secy, Treas, 50%, Susan F. Hoover, Dir, Pres, 50% - Ward 2 (L.B. McDonald)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of a new Massage Establishment License

**RECOMMENDATION:**

Recommend approval subject to the provisions of the planning and fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Letter from Hoover & Youshock
3. Map

**MOTION:**

**L.B. McDONALD – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process – UNANIMOUS**

**MINUTES:**

ROSEMARY YOUSHOCK was present. She requested approval of the required license.

JIM DiFIORE, Manager, Business Services, indicated that the applicant met the requirements for a temporary license. He suggested approval as recommended.

(12:25 – 12:26)

3-541

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ABEYANCE ITEM** - Discussion and possible action regarding a Six Month Review of a Beer/Wine/Cooler Off-sale License, Mulugeta K. Bour, dba Oakey Discount Market, 1616 Las Vegas Boulevard South, Mulugeta K. Bour, 100% - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Six Month Review of a Beer/Wine/Cooler Off-sale License

**RECOMMENDATION:**

Recommendation to be provided following discussion of this item at the City Council meeting

**BACKUP DOCUMENTATION:**

Agenda Memo

**MOTION:**

**MONCRIEF – APPROVED subject to a 90-day (6/16/2004) extension and the condition to post signs on coolers prohibiting the sale of single containers – UNANIMOUS**

**MINUTES:**

The applicant was present.

JIM DiFIORE, Manager, Business Services, requested extension of the temporary for an additional 90 days, as staff has seen improvements, but would like to obtain a comfort level that MR. BOUR will maintain the condition imposed prohibiting the sale of single containers. He recommended an additional condition requiring MR. BOUR to post signs on the coolers that no single sales are permitted. MR. BOUR concurred with the new condition.

COUNCILWOMAN MONCRIEF confirmed with MR. DiFIORE that the signs would be provided to MR. BOUR.

See companion Item 78 for related discussion.

(12:26 – 12:28)

**3-590**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ABEYANCE ITEM** - Discussion and possible action regarding a Review of a Slot Route Operator Space Lease Location Restricted Gaming License for 5 slots, Green Valley Gaming, Inc., db at Oakey Discount Market, 1616 Las Vegas Boulevard South - Ward 1 (Moncrief)

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Review of a Slot Route Operator Space Lease Location Restricted Gaming License for 5 slots

**RECOMMENDATION:**

Recommendation to be provided following discussion of this item at the City Council meeting

**BACKUP DOCUMENTATION:**

Agenda Memo

**MOTION:**

**MONCRIEF – APPROVED subject to a 90-day (6/16/2004) extension and the condition to post signs on coolers prohibiting the sale of single containers – UNANIMOUS**

NOTE: COUNCILWOMAN McDONALD disclosed that she would be voting, even though she is an outside director for Station Casinos, who holds privileged licenses for alcohol, as does the applicant. She has not discussed this matter with the applicant and did not feel her affiliation would impact her judgment. She has reviewed this disclosure with the City Attorney, who opined that there would be no material impact on Station Casinos.

**MINUTES:**

ATTORNEY JEFF ARLITZ, appeared representing the applicant.

JIM DiFIORE, Manager, Business Services, suggested the same conditions imposed on related Item 77.

See companion Item 77 for related discussion.

(12:28 – 12:29)

**3-630**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**ABEYANCE ITEM** - Discussion and possible action regarding a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Young Il Kong, dba Grand Master Kong Taekwon-do, 1780 North Buffalo Drive, Suite 105, Young I. Kong, 100% - Ward 4 (Brown)

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Martial Arts Instruction Business License

**RECOMMENDATION:**

Recommendation to be provided following discussion of this item at the City Council meeting

**BACKUP DOCUMENTATION:**

Map

**MOTION:**

**BROWN – DENIED – UNANIMOUS**

**MINUTES:**

The applicant was present with his attorney, DAVID AMESBURY.

JIM DiFIORE, Manager, Business Services, deferred to STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), who indicated that the Council had the investigative report, which was shared with the applicant and his attorney. Metro previously represented that the applicant was a willing participant in a kidnap-for-robbery scheme to recover investment funds, as described in the report. MR. KONG was not involved in the actual beatings and torture; he was present and assisted in transporting the victims to his licensed business location where the activity continued. ATTORNEY AMESBURY countered that there were no charges filed in Los Angeles. MAYOR GOODMAN rejoined that, based on the briefing Metro detectives provided him, there were charges filed; however, the two necessary witnesses were not available so the charges were dismissed.

CITY COUNCIL MEETING OF MARCH 17, 2004

Finance and Business Services

Item 79 - Discussion and possible action regarding a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Young Il Kong, dba Grand Master Kong Taekwon-do, 1780 North Buffalo Drive, Suite 105, Young I. Kong, 100% - Ward 4 (Brown)

**MINUTES – Continued:**

DETECTIVE RODD explicated that the victims identified the applicant's business, gave statements, and identified the applicant from a photo lineup. The applicant was arrested and interviewed. However, the victims, who feared for their safety, did not continue contact with the police up to the point of trial. The charges were then dismissed because the victims were not available for testimony. But charges were definitely filed.

MAYOR GOODMAN was especially concerned about MR. KONG'S admissions in the report Metro obtained from Los Angeles Police. Ostensibly, MR. KONG confessed to transporting certain individuals that were beaten. DETECTIVE RODD interjected that ATTORNEY AMESBURY read the investigative report. As an attorney, MR. AMESBURY could petition for the police report through the courts or the police agency in California, but Metro could not release it to him.

COUNCILMAN BROWN requested CITY ATTORNEY JERBIC'S opinion on which the Council could base its decision. CITY ATTORNEY JERBIC indicated that the Council was limited to the record presented by way of backup material, staff, and Metro.

MR. DiFIORE paraphrased that Las Vegas Municipal Code 6.06.120(a), indicates that the fitness or acceptability for a license or approval for suitability is upon the applicant. He opined that the burden falls on the applicant to respond to the charge and the actions that were taken on the basis of the police report. MAYOR GOODMAN agreed with MR. DiFIORE, but explained that he was just wondering if ATTORNEY AMESBURY wanted to gain access to the police report Metro obtained.

COUNCILMAN BROWN remarked that he was concerned about Metro's report regarding MR. KONG'S participation in criminal activity at his place of business, which was licensed for the same type of business he was seeking licensure with the City. Even though there were questions that needed further elaboration, he did not feel comfortable supporting this application.

ATTORNEY AMESBURY requested additional time, alleging that he was not aware of the exact content of the report. MAYOR GOODMAN indicated that there is no substantive difference between the report and the summary provided. DETECTIVE RODD advised that MR. KONG acknowledged that he was there and some of his role in the incident, but alleges that it was a big misunderstanding.

COUNCILWOMAN McDONALD asked if a person could be considered guilty if the case is dropped. MAYOR GOODMAN opined that the Council could not find him guilty, but certainly responsible. CITY ATTORNEY JERBIC concurred with the Mayor's comments. COUNCILMAN BROWN still did not feel comfortable, and motioned for denial.

(12:29 – 12:39)

3-670

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on a conditional allocation of \$6,122,000 in Community Development Block Grant (CDBG) funds subject to final HUD approval of the Environmental Review process, pursuant to 24 CFR Part 58 and \$160,000 in anticipated Program Income Funds – All Wards

**Fiscal Impact**☐**No Impact****Amount:** \$6,282,000☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** HUD-CDBG**PURPOSE/BACKGROUND:**

For Fiscal Year 2004-05, the city of Las Vegas is eligible to receive \$6,122,000 in Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development. It is anticipated that the city will receive an additional \$160,000 in program income funds. NDD staff shall complete all HUD required Environmental Reviews. No project may commit and/or expend any funds prior to compliance with part 58 and final notification by NDD staff.

**RECOMMENDATION:**

Staff recommends that the City Council approve the CDBG allocations and authorize the Mayor to execute the agreements.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. FY2004-2005 CDBG-Construction Applicants and CDRB Recommendations
3. FY2004-2005 CDBG Public Service (Childcare, Life Skills, Social Services, Youth) Applicants and CDRB Recommendations
4. Submitted at meeting: Department of Human Resources Non-State Title XX Quarterly Report by Steven Brooks

**MOTION:**

**REESE – APPROVED – UNANIMOUS with GOODMAN abstaining as an honorary member of Positively Kids and MACK abstaining because of his service on the board for the Boys and Girls Club**

NOTE: COUNCILMAN WEEKLY disclosed that he is Vice Chairman of the EOB Executive Board; therefore, he would be abstaining. However, during the afternoon session, CITY

CITY COUNCIL MEETING OF MARCH 17, 2004

Neighborhood Services

Item 80 – Discussion and possible action on a conditional allocation of \$6,122,000 in Community Development Block Grant (CDBG) funds subject to final HUD approval of the Environmental Review process, pursuant to 24 CFR Part 58 and \$160,000 in anticipated Program Income Funds – All Wards

**MOTION - Continued:**

ATTORNEY JERBIC clarified that he did not have to abstain because he is the City's representative on a board where the City is obligated to fill a seat.

NOTE: COUNCILMAN REESE disclosed that he is Chairman of the Clark County Health District Board. However, CITY ATTORNEY JERBIC advised him that disclosure would be appropriate but abstention would not be necessary, as he is not part of this group requesting monies.

NOTE: MAYOR GOODMAN indicated that he is an honorary member of Nevada Kids to Kids and was advised to abstain. CITY ATTORNEY JERBIC stated that he was unaware of that advice. Out of an abundance of caution, if there were still four votes, he should abstain on that item.

NOTE: COUNCILWOMAN McDONALD disclosed that she would be abstaining on Item 83, as she is a Trustee of Catholic Charities of Southern Nevada.

NOTE: During the afternoon session, COUNCILMAN WEEKLY disclosed that his neighbor runs a track program and is a recipient of some of this funding and his doctor has a foundation that is also a recipient. CITY ATTORNEY JERBIC assured him that so long as he could be objective, there was no conflict and he could vote on the item.

**MINUTES:**

COUNCILMAN WEEKLY questioned why they have to abstain when they are appointed to certain boards, like the EOB, by the Mayor. CITY ATTORNEY JERBIC answered that it depends on the case. As in the case of the Clark County Health District, the District itself did not apply for a CDBG grant and COUNCILMAN REESE had no role in it. Therefore, disclosure was appropriate.

ORLANDO SANCHEZ, Director, Neighborhood Services, felt honored to present this year's recommendations from the Community Development Recommending Board. The federal and state funds touch the lives of many individuals in the City of Las Vegas. The Board members take their responsibility very seriously and should be commended for their commitment, hard work, and dedication to improve the quality of all the lives of the residents. The Board consists of 24 citizens appointed by the Council, and they each attended approximately 14 applicant representation/recommendation meetings, committing about 70 hours of their personal time. This does not include the many additional hours they spend reviewing the applications.

CITY COUNCIL MEETING OF MARCH 17, 2004

Neighborhood Services

Item 80 – Discussion and possible action on a conditional allocation of \$6,122,000 in Community Development Block Grant (CDBG) funds subject to final HUD approval of the Environmental Review process, pursuant to 24 CFR Part 58 and \$160,000 in anticipated Program Income Funds – All Wards

**MOTION - Continued:**

ISRAEL FUENTES, Chairman, Community Development Recommending Board, reviewed the recommendations for CDBG Construction and Public Service applicants, as outlined in the backup documentation. He thanked COUNCILMAN REESE for giving him the honor to serve the community.

In light of the issues surrounding the Economic Opportunity Board, MR. SANCHEZ recommended an amendment to the agreement allowing the City to withdraw the recommended funding should the findings come back non-favorable.

MAYOR GOODMAN interjected that CITY ATTORNEY JERBIC advised him that he would have to abstain because of his honorary membership on Nevada Kids to Kids. However, he noted that the Board and Neighborhood Services staff has once again done a phenomenal job. The City will be forever indebted for all their hard work and time.

KEN EVANS, Co-Chairman, Community Development Recommending Board, reviewed the funding recommendations for HOME, HOPWA, and ESG applications, as listed in the backup documentation. He thanked the Council and staff for the opportunity to participate. He also thanked the fellow members, who stood in recognition in the audience, because it took a lot of teamwork to arrive at this point.

CITY ATTORNEY JERBIC noted that because of various conflicts on various line items the required four votes under state law might not be available. State law requires a majority of votes if a written opinion is not submitted for the record on any abstention, even with an ethical reason. He suggested trailing Items 80, 81, 82, and 83 to the afternoon session, after public comments, so that he could meet with the Councilmembers and provide written opinions.

TOM McGOWAN, Las Vegas resident, asked if there is any statistical data available demonstrating the positive results of these grants over time. He then asked if all recipients of these grants are legal residents of the United States. He advised the Council to seriously consider responding to his questions. COUNCILMAN REESE stated that the positive results could be seen all over the City.

ISAAC HENDERSON proposed to work with the Council on the non-disclosure, non-circumvented contract, because he felt he was entitled to more funding. He indicated he would bring the documents to the 4/7/2004 meeting.

CITY COUNCIL MEETING OF MARCH 17, 2004

Neighborhood Services

Item 80 – Discussion and possible action on a conditional allocation of \$6,122,000 in Community Development Block Grant (CDBG) funds subject to final HUD approval of the Environmental Review process, pursuant to 24 CFR Part 58 and \$160,000 in anticipated Program Income Funds – All Wards

**MOTION - Continued:**

STEVEN BROOKS, representing Freedom Enhancement Academy, thanked the Board for the recommended monies to his agency. He appealed for future funding that might become available. He then stated that the children are going through school in a cloud of darkness because they are not learning the basic fundamentals of mathematics and science. He presented a performance report, a copy of which was submitted for the record, demonstrating how his agency's program of Doctor for a Day has successfully taught these basics to children by teaching them how to take blood pressure, vital signs, body fat percentages, CPR, and first aid.

SABRINA HIGGINS-HINX appeared on behalf of In Our Presence. She expressed her appreciation for the recommended funding to her program. The program brings mobile computers to at-risk youth in low-income neighborhoods to teach them employment skills. She noted that she has been working with MR. BROOKS and she is confident that their collaborative efforts will benefit the community.

LINDA WILBURGER, grant writer for the Blind Center of Nevada, thanked the Board members for their recommendation.

COUNCILMAN REESE thanked the Board members for their recommendations. He apologized for having to trail the matter. COUNCILMAN BROWN also thanked the Board members. He commented that there is so much need, yet not enough monies, and they are becoming even scarcer.

The item was recalled during the afternoon session. CITY ATTORNEY JERBIC reported on Ethics Opinions 9306 and 9211. The standard is members who sit on a board that the City is obligated to sit on do not have to disclose or abstain. For example, the City is obligated to fill a seat on the Economic Opportunity Board or Clark County Health District. In those instances where a member sits on a board voluntarily where there is no such City obligation, that member should disclose and should abstain.

AL GALLEG0 requested a list of the organizations that each member belongs to. Although disclosure is not required, he discussed with MAYOR GOODMAN, COUNCILMAN REESE and COUNCILWOMAN McDONALD how to access that information.

(11:15 – 11:39/2:10 – 2:13)

**2-1184/4-69**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on a conditional allocation of the estimated \$3,790,916 in FY2004 Federal and State Home Investment Partnership (HOME) funds subject to final HUD approval of the Environmental Review process, pursuant to 24 CFR Part 58 and Low Income Housing Trust Funds (LIHTF) from the Clark County Consortium - All Wards

**Fiscal Impact**☐**No Impact****Amount:** \$3,790,916☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** HUD-LIHTF**PURPOSE/BACKGROUND:**

The city of Las Vegas FY2004 estimated share of the Clark County Consortium HOME/LIHTF funds will be as follows: \$3,790,916 (City Wide). NDD staff shall complete all HUD required Environmental Reviews. No project may commit and/or expend any funds prior to compliance with part 58 and final notification by NDD staff.

**RECOMMENDATION:**

Staff recommends that the City Council approve the funding from the Clark County Consortium and authorize the Mayor to execute the Agreements with the Clark County Consortium and the subrecipients.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. FY2004 HOME Applicants and CDRB Recommendations

**MOTION:****REESE – APPROVED – UNANIMOUS****MINUTES:**

See Item 80 for discussion.

(11:15 – 11:39/2:13 – 2:14)

**2-1184/4-187**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on a conditional allocation of \$916,000 of FY04/05 Housing Opportunities For Persons With Aids (HOPWA) grant funds subject to final HUD approval of the Environmental Review process, pursuant to 24 CFR Part 58 and \$16,490 of FY03/04 Reprogrammed HOPWA grant funds - All Wards

**Fiscal Impact**☐**No Impact****Amount:** \$932,490☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** HUD-HOPWA**PURPOSE/BACKGROUND:**

For FY04/05, the city of Las Vegas has been notified by the United States Department of Housing and Urban Development (HUD) that the City will receive \$916,000 in Housing Opportunities for Persons with Aids (HOPWA) funds and reprogrammed funding of \$16,490. NDD staff shall complete all HUD required Environmental Reviews. No project may commit and/or expend any funds prior to compliance with part 58 and final notification by NDD staff.

**RECOMMENDATION:**

Staff recommends City Council approve the HOPWA allocations recommended by the Community Development Recommending Board and authorize the Mayor to execute the agreements.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. FY2004-2005 HOPWA Applicants and CDRB Recommendations

**MOTION:****REESE – APPROVED – UNANIMOUS****MINUTES:**

See Item 80 for discussion.

(11:15 – 11:39/2:14)

**2-1184/4-192**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on a conditional allocation of \$227,048 in FY04/05 Emergency Shelter Grant (ESG) grant funds subject to final HUD approval of the Environmental Review process, pursuant to 24 CFR Part 58 and \$37,332 of FY03/04 Reprogrammed ESG funds - All Wards

**Fiscal Impact**☐**No Impact****Amount:** \$264,380☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** HUD-ESG**PURPOSE/BACKGROUND:**

For FY04/05, the City of Las Vegas is eligible to receive \$227,048 of Emergency Shelter Grant (ESG) funds and \$37,332 of FY03/04 reprogrammed ESG funds. NDD staff shall complete all HUD required Environmental Reviews. No project may commit and/or expend any funds prior to compliance with part 58 and final notification by NDD staff.

**RECOMMENDATION:**

Staff recommends that the City Council approve the Emergency Shelter Grant allocations and authorize the Mayor to execute the agreements.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. FY2004-2005 ESG Applicants and CDRB Recommendations

**MOTION:**

**REESE – APPROVED – UNANIMOUS with L.B. McDONALD abstaining as she sits on the board for Catholic Charities**

NOTE: Under Item 80, COUNCILWOMAN McDONALD disclosed that she would be abstaining on this item, as she is a Trustee of Catholic Charities of Southern Nevada.

**MINUTES:**

See Item 80 for discussion.

(11:15 – 11:39/2:14 – 2:15)  
**2-1184/4-207**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**BOARDS & COMMISSIONS:**

PARK & RECREATION ADVISORY COMMISSION – Lisa B. Sherman, Term Expiration 4-1-2004; Malcolm D. White, Term Expiration 4-1-2004

**Fiscal Impact**

<input checked="" type="checkbox"/>	<b>No Impact</b>	<b>Amount:</b>
<input type="checkbox"/>	<b>Budget Funds Available</b>	<b>Dept./Division:</b>
<input type="checkbox"/>	<b>Augmentation Required</b>	<b>Funding Source:</b>

**PURPOSE/BACKGROUND:**

The term of office for Lisa B. Sherman and Malcolm D. White will expire April 1, 2004. There is no City residency requirement, terms are for three years and there is no limit to the number of terms that may be served. Ms. Sherman is eligible and wishes to be reappointed. Mr. White is eligible and wishes to be reappointed.

**RECOMMENDATION:**

Procedure for this Board requires appointment by the City Council. Options are:  
Appoint a new member or Reappoint Ms. Sherman to this seat  
Appoint a new member or Reappoint Mr. White to this seat

**BACKUP DOCUMENTATION:**

1. Current Listing and Authority-Park & Recreation Advisory Commission
2. Memo from Dr. Barbara Jackson, Director of Leisure Services

**MOTION:**

**GOODMAN – Motion to REAPPOINT LISA SHERMAN (Reese's recommendation) and Hold in ABEYANCE MALCOLM WHITE'S seat to 4/7/2004 – UNANIMOUS**

Clerk to notify

**MINUTES:**

There was no discussion.

(12:39 – 12:41)  
3-1050

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY CLERK****DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

**Fiscal Impact**

<input checked="" type="checkbox"/>	<b>No Impact</b>	<b>Amount:</b>
<input type="checkbox"/>	<b>Budget Funds Available</b>	<b>Dept./Division:</b>
<input type="checkbox"/>	<b>Augmentation Required</b>	<b>Funding Source:</b>

**PURPOSE/BACKGROUND:**

Each member of Council appoints one member subject to ratification by the Council with terms concurrent with the term of the appointing City Council member. All members of this board must be City residents and fill unexpired terms. Additionally, no fewer than one and no more than three members must be currently licensed as owners or operators of child care facilities within the City. The other four citizen members are not required to fill a specific category. Lolanda Bunch, Councilman Weekly's appointment, has resigned and it will be necessary to fill this unexpired term.

**RECOMMENDATION:**

Councilman Weekly to recommend his coterminous appointee, filling Ms. Bunch's unexpired term. The appointee must be a city resident, may be a licensed operator of a child care facility or may be a citizen member.

**BACKUP DOCUMENTATION:**

1. Current Listing and Authority – Child Care Licensing Board
2. Resignation letter from Lolanda Bunch

**MOTION:**

**WEEKLY – ABEYANCE TO 4/7/2004 – UNANIMOUS with GOODMAN abstaining because his wife is associated with the Meadows Preschool, which is subject to this Board**

**MINUTES:**

COUNCILMAN WEEKLY said that unfortunately MS. BUNCH could not serve due to where she lives.

(12:41 – 12:42)

**3-1096**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: BUSINESS DEVELOPMENT**

**DIRECTOR: IAIN VASEY (ACTING)**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly & Councilwoman Moncrief

Discussion and possible action regarding a Real Property Purchase and Sale Agreement between the City of Las Vegas and Box Canyon Professional Park Phase II, LLC for property located in the Las Vegas Technology Center (\$1,123,782 Gain - Industrial Revenue Fund) - Ward 4 (Brown)

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$1,123,782 - Gain

☐

**Budget Funds Available**

**Dept./Division:** OBD/Economic Development Div

☐

**Augmentation Required**

**Funding Source:** Industrial Revenue Fund

**PURPOSE/BACKGROUND:**

A Real Property Purchase and Sale Agreement with Box Canyon Professional Park Phase II, LLC for 2.457 acres, at sale price of \$10.50 per square foot.

**RECOMMENDATION:**

The 3/15/2004 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Purchase and Sales Agreement
3. Disclosure of Principals
4. Site Map

**MOTION:**

**BROWN – APPROVED as recommended – UNANIMOUS**

**MINUTES:**

[TYLER CORBRIDGE, Director of Development, Box Canyon Professional Park, was present.](#)

IAIN VASEY, Acting Director, Business Development Office, reviewed the information under the Subject and Purpose/Background sections above. He added that the developer proposes to build three office buildings with an aggregate of about 23,00 square feet of office space. The estimated construction cost is \$900,000.

On behalf of the managing member of the LLC, MR. CORBRIDGE thanked the Council for its support, particularly COUNCILMAN BROWN.

CITY COUNCIL MEETING OF MARCH 17, 2004

Real Estate

Item 86 - Discussion and possible action regarding a Real Property Purchase and Sale Agreement between the City of Las Vegas and Box Canyon Professional Park Phase II, LLC for property located in the Las Vegas Technology Center (\$1,123,782 Gain - Industrial Revenue Fund) - Ward 4 (Brown)

**MINUTES – Continued:**

TOM McGOWAN, Las Vegas resident, demanded the names of the owners of Box Canyon.

AL GALLEG0, citizen of Las Vegas, complained about the Agenda Summary Pages not containing parcel numbers, making it difficult for the public to identify the location of the property involved.

(12:42 – 12:45)

**3-1135**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: BUSINESS DEVELOPMENT****DIRECTOR: IAIN VASEY (ACTING)**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE: - Councilman Weekly and Councilwoman Moncrief

Discussion and possible action regarding a Disposition and Development Agreement with the Urban Chamber of Commerce for the acquisition and development of a 3.0 acre parcel located at the Southwest corner of Mount Mariah Drive and Martin L. King Boulevard, APN 139-21-313-007 and -008 - Ward 5 (Weekly)

**Fiscal Impact**☐**No Impact****Amount:** Gain of \$1.00☐**Budget Funds Available****Dept./Division:** OBD/Economic Development Div.☐**Augmentation Required****Funding Source:** Industrial Revenue Fund**PURPOSE/BACKGROUND:**

On June 2, 2003, the Economic Development Administration (EDA), U.S. Department of Commerce, authorized the Urban Chamber of Commerce to submit a fiscal year 2004 grant application in the amount of \$2 million for construction of a mixed use business incubator and service center. Upon final approval of the grant award by the EDA, the City would convey the 3-acre site to the Urban Chamber provided that the business center is constructed and maintained for a 5-year period.

**RECOMMENDATION:**

The 3/15/2004 Real Estate Committee and staff recommend approval and authorization for Mayor to execute the Disposition and Development Agreement, and any related documents

**BACKUP DOCUMENTATION:**

1. Site Map
2. Agenda Memo
3. Disposition and Development Agreement
4. Disclosure of Principals
5. Letter dated December 15, 2003, from A. Leonard Smith, EDA

**MOTION:**

**WEEKLY – APPROVED as amended – UNANIMOUS**

**MINUTES:**

HANNAH BROWN, President, and RONALD DESPENZA, Vice President, of the Urban Chamber of Commerce, as well as WINSTON H. HENDERSON, President of Winston H. Henderson Architects, were present.

CITY COUNCIL MEETING OF MARCH 17, 2004

Real Estate

Item 87 - Discussion and possible action regarding a Disposition and Development Agreement with the Urban Chamber of Commerce for the acquisition and development of a 3.0 acre parcel located at the Southwest corner of Mount Mariah Drive and Martin L. King Boulevard, APN 139-21-313-007 and -008 - Ward 5 (Weekly)

**MINUTES - Continued:**

IAIN VASEY, Acting Director, Business Development Office, noted the following recommended change to Item 26 of the agreement: If the developer does not secure the commitment from EDA by 7/30/2004, this agreement shall terminate automatically and be deemed null and void in its entirety by both parties. He then described the project, as contained under the Purpose/Background section above. He added that following the close of escrow, the Urban Chamber must begin construction no later than 7/30/2005 and complete construction by 12/29/2006.

MRS. BROWN expressed her content at being part of the economic development of this community. The Urban Chamber of Commerce has been located in West Las Vegas for over 20 years. It has been working on a technical assistance grant for over three years. Once obtained, it will afford the Chamber the opportunity to directly impact the economy of the area. Support was received from the County, MGM Grand, Station Casinos, Mandalay Bay, and Caesar's Entertainment. She thanked City staff for its hard work and requested approval.

MR. HENDERSON showed a rendering of the proposed single-story building. The intent is to provide an attractive front on Martin Luther King Boulevard. The facility will house a bank branch, Urban Chamber offices, and ancillary small business.

COUNCILMAN WEEKLY remarked that this project has been long awaited. He appreciated the Chamber's hard work in bringing the project to fruition. He also thanked his colleagues for their support.

(12:45 – 12:51)

**3-1227**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: BUSINESS DEVELOPMENT****DIRECTOR: IAIN VASEY (ACTING)**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Discussion and possible action regarding an Agreement to Negotiate Exclusively with 601 Development Company, LLC, regarding negotiation of a Disposition and Development Agreement for the real property located at 601 Fremont Street, APN 139-34-611-018 (receipt of \$1,000 earnest money deposit) - Ward 5 (Weekly)

**Fiscal Impact**☒**No Impact****Amount:** \$1,000 earnest money deposit☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On August 6, 2003, the City Council approved a Purchase and Sale Agreement for purchase of the 601 Fremont Street property from Clark County for the price of \$1,196,500 plus closing costs. Of six development proposals submitted by qualified respondents solicited from Staff, two finalists were selected to make best and final offers. The two finalists have elected to submit a single, joint proposal that maximizes the potential of the existing building through entertainment and residential uses. Execution of the Agreement to Negotiate Exclusively would allow 60 days to negotiate a Disposition and Development Agreement.

**RECOMMENDATION:**

The 3/15/2004 Real Estate Committee and staff recommend approval

**BACKUP DOCUMENTATION:**

1. Site Map
2. Agenda Memo
3. Agreement to Negotiate Exclusively
4. Disclosure of Principals
5. Letter from Moran & Associates outlining agreement details dated March 8, 2004

**MOTION:**

**WEEKLY – APPROVED as recommended – UNANIMOUS**

**MINUTES:**

ATTORNEY JEFFREY BENDAVID, Moran & Associates, appeared representing the applicant, in the company of the Development Team, KEN WOLFSON, ANDREW MOLASKY, ANDREW FONFA, and TODD MARSHALL.

CITY COUNCIL MEETING OF MARCH 17, 2004

Real Estate

Item 88 - Discussion and possible action regarding an Agreement to Negotiate Exclusively with 601 Development Company, LLC, regarding negotiation of a Disposition and Development Agreement for the real property located at 601 Fremont Street, APN 139-34-611-018 (receipt of \$1,000 earnest money deposit) - Ward 5 (Weekly)

**MINUTES - Continued:**

IAIN VASEY, Acting Director, Business Development Office, went over the information contained under the Purpose/Background section of the Agenda Summary Page. He added that the developers submitted the preliminary development terms sheet outlining the conditions of the purchase of the property. The developers will pay \$1.3 million in cash at closing, plus payment of an additional \$500,000 upon 50% lease up of the building. Approval of this agreement would allow staff 60 days to negotiate the terms of the Disposition and Development Agreement (DDA). Once a mutually agreeable DDA is negotiated, it would be brought back to Council for consideration, along with the full development concept.

ATTORNEY BENDAVID stated that the developers are very excited about this project. He showed renderings of the proposed buildings, including a nightclub and coffee shop. COUNCILMAN WEEKLY noted that the drawings for the lofts are great.

MAYOR GOODMAN said that he is enthralled with the project, especially with the two developers working together. The project brings all the concepts the Council has been talking about for the area. This is going to be the future tourist hotspot.

COUNCILMAN WEEKLY commented that he is very excited about this project. It will greatly benefit the area.

TOM McGOWAN, Las Vegas resident, demanded the owners be identified.

COUNCILMAN MACK stressed that the developers must continue to receive the full support of the Council and the Las Vegas Metropolitan Police Department in order to ensure their success in this area.

(12:51 – 1:00)

**3-1469**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

**Bill No. 2004-7** – Eliminates the special use permit requirement for the use “Beer/Wine/Cooler Art Event.” Proposed by: Robert S. Genzer, Director of Planning and Development

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The zoning regulations currently are written in a way that requires a special use permit for the use “Beer/Wine/Cooler Art Event.” It has been determined that this type of use is sufficiently limited in frequency and impact that requiring a special use permit is not necessary. This bill will eliminate that requirement.

**RECOMMENDATION:**

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

**BACKUP DOCUMENTATION:**

Bill No. 2004-7

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5674 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

There was no discussion.

(1:00 – 1:01)

**3-1816**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

**Bill No. 2004-8** – Establishes zoning requirements for swap meets. Sponsored by: Councilman Gary Reese

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The City's zoning regulations generally do not treat swap meets as a separate type of land use, categorizing them under a broader retail category. Because of the nature of the use, it is deemed appropriate to establish particularized requirements for the use. This bill establishes the circumstances under which swap meets will be allowed in commercial and industrial zoning districts.

**RECOMMENDATION:**

**ADOPTION** at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

**BACKUP DOCUMENTATION:**

Bill No. 2004-8

**MOTION:**

**REESE – Motion to STRIKE - UNANIMOUS**

**NOTE:** The initial motion for approval by WEEKLY, which carried unanimously, was reconsidered upon a motion by REESE, which also carried unanimously.

**MINUTES:**

The item was recalled during the afternoon session. COUNCILMAN REESE explained that the original publication of the bill had the wrong title; therefore, the item should be stricken.

(1:00 – 1:01/4:00 – 4:01)

**3-1816/4-2118**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

**Bill No. 2004-9** – Increases the number of zoning districts in which a special use permit may be obtained for the keeping of carrier or racing pigeons. Proposed by: Bradford R. Jerbic, City Attorney

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Several months ago the City Council adopted Ordinance No. 5609 to allow, by special use permit, the keeping of carrier or racing pigeons in several of the larger-lot residential zoning districts. It is now proposed to authorize the same thing in additional zoning districts, namely, the R-1, R-CL, R-2, C-D, C-1, C-2, C-M and M Zoning Districts. If adopted, this bill will accomplish that change.

**RECOMMENDATION:**

ADOPTION at 3/17/2004 City Council meeting as First Amendment pursuant to the 3/15/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

**BACKUP DOCUMENTATION:**

1. Bill No. 2004-9
2. Submitted after final agenda – Bill No. 2004-9 – First Amendment

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5675 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

CITY ATTORNEY JERBIC noted that the Bill was recommended for approval as First Amendment at the Recommending Committee. The First Amendment deletes zoning districts R-CL and R-2. The same deletion applies to the zoning tables. The only new addition to a zoning district is R-1.

(1:01 – 1:03)

**3-1865**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

**Bill No. 2004-10** – Adopts development agreement with Cliffs Edge, LLC for the Cliffs Edge Development. Proposed by: Robert S. Genzer, Director of Planning and Development

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

At its meeting of February 18, 2004, the City Council is scheduled to approve a development agreement for the Cliffs Edge Development. Pursuant to State law, such an agreement must be adopted by ordinance. This bill will accomplish that adoption.

**RECOMMENDATION:**

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

**BACKUP DOCUMENTATION:**

Bill No. 2004-10

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5676 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

CHIEF DEPUTY CITY ATTORNEY VAL STEED indicated that the Bill in the backup includes the agreement as originally drafted, which required clarification in certain areas. Hence, a First Amendment is being recommended that includes changes, as well as exhibits that had not been finalized, as discussed at the Recommending Committee where this bill was considered.

(1:03 – 1:04)

**3-1926**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

**Bill No. 2004-11** – Levies Assessment for Special Improvement District No. 1472 - Durango Drive (Lone Mountain Road to Tropical Parkway) Sponsored by: Step Requirement

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$168,901.24

☐

**Budget Funds Available**

**Dept./Division:** Public Works/SID

☒

**Augmentation Required**

**Funding Source:** Capital Projects Fund - Special Assessments

**PURPOSE/BACKGROUND:**

Levies the assessment for the cost of street improvements: pavement, curb, gutter, sidewalk, driveways, streetlights, and sewer laterals. This district will be financed by the City, and the assessments will be paid over a 10-year period.

**RECOMMENDATION:**

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

**BACKUP DOCUMENTATION:**

Bill No. 2004-11

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5677 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

There was no discussion.

(1:04)

**3-1969**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

**Bill No. 2004-12** – Levies Assessment for Special Improvement District No. 1474 - Rainbow Boulevard (Silverstream Avenue to Smoke Ranch Road) Sponsored by: Step Requirement

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$209,036.50

☐

**Budget Funds Available**

**Dept./Division:** Public Works/SID

☒

**Augmentation Required**

**Funding Source:** Capital Projects Fund - Special Assessments

**PURPOSE/BACKGROUND:**

Levies the assessment for the cost of street improvements: pavement, left turn lane and/or center median, "L" type curb and gutter, sidewalks, streetlights, water laterals and sewer laterals. The entire project length is located in Wards 2 and 6; however, the properties involved in the SID are located in Ward 6. This district will be financed through the sale of bonds, and the assessments will be paid over a 10-year period.

**RECOMMENDATION:**

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

**BACKUP DOCUMENTATION:**

Bill No. 2004-12

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5678 – UNANIMOUS**

NOTE: COUNCILMAN MACK disclosed that a Timbers Bar and Grill, which is owned by his brother-in-law ANDREW DONNER, is located along this section of Rainbow. It is not one of the properties included in this SID. His brother-in-law has not discussed this bill with him, and COUNCILMAN MACK did not believe it would impact his brother-in-law's tavern. Therefore, he would be voting.

Clerk to proceed with second publication



CITY COUNCIL MEETING OF MARCH 17, 2004  
Recommending  
Item 94 – Bill No. 2004-12

**MINUTES:**

There was no discussion.

(1:04 – 1:05)  
**3-1997**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

**Bill No. 2004-13** – Levies Assessment for Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) Sponsored by: Step Requirement

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$2,744,088.73

☐

**Budget Funds Available**

**Dept./Division:** Public Works/SID

☒

**Augmentation Required**

**Funding Source:** Capital Projects Fund - Special Assessments

**PURPOSE/BACKGROUND:**

Levies the assessment for the cost of street improvements: pavement, curb, gutter, driveway approaches, streetlights, storm drain facilities, water mains, water laterals, and sewer laterals. In addition, pavement, curb, gutter, storm drain facilities, water mains, and streetlights were installed along the south side of Elkhorn Road. Bonds will be sold for this district, and the assessments will be paid over a 20-year period.

**RECOMMENDATION:**

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

**BACKUP DOCUMENTATION:**

1. Bill No. 2004-13
2. Submitted at meeting: letter of opposition dated 3/17/2004 from James J. Leavitt

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5679 – UNANIMOUS**

Clerk to proceed with second publication

NOTE: A previous motion, which carried unanimously, by GOODMAN to recall this matter rescinded the original motion by WEEKLY for approval as recommended. The original motion also carried unanimously.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Recommending  
Item 95 – Bill No. 2004-13

**MINUTES:**

JEFFREY PIKE submitted a letter of opposition on behalf of the law office of KERMITT WATERS, as the landowner did not receive notice of this hearing.

This item was recalled after Item 96 to determine whether it required different action because of the letter that was submitted.

RICHARD GOECKE, Director, Public Works Department, indicated that the letter was submitted from the attorney representing MR. HITT. CITY ATTORNEY JERBIC advised that the SID process includes an appropriate time for individuals to appear and protest the SID. The individual represented by the Waters Law Firm had appeared and protested the SID. The protest was found to be without merit; therefore, staff proceeded. It is appropriate for the Waters Law Firm to continue to make a record and for the Council to vote on this SID.

(1:05 – 1:06/1:07 – 1:09)

**3-2038/3-2135**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:**

**Bill No. 2004-14** – Levies Assessment for Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) Sponsored by: Step Requirement

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$394,135.77

☐

**Budget Funds Available**

**Dept./Division:** Public Works/SID

☒

**Augmentation Required**

**Funding Source:** Capital Projects Fund - Special Assessments

**PURPOSE/BACKGROUND:**

Levies the assessment for the cost of street improvements: pavement, "L" type curb and gutter, sidewalk, commercial and residential driveway approaches, water laterals, sewer laterals and streetlights. Bonds will be sold for this district, and the assessments will be paid over a 10-year period.

**RECOMMENDATION:**

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

**BACKUP DOCUMENTATION:**

Bill No. 2004-14

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5680 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

There was no discussion.

(1:06 – 1:07)

**3-2100**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

**Bill No. 2004-15** – Ordinance Creating Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215) Sponsored by: Step Requirement

**Fiscal Impact**

☐

**No Impact**

**Amount:** \$349,029.49

☐

**Budget Funds Available**

**Dept./Division:** Public Works/SID

☒

**Augmentation Required**

**Funding Source:** Capital Projects Fund - Special Assessments

**PURPOSE/BACKGROUND:**

Installation of pavement, curb, gutter, and streetlights.

**RECOMMENDATION:**

ADOPTION at 3/17/2004 City Council meeting pursuant to the 3/1/2004 Recommending Committee.

First Reading – 2/18/2004; First Publication – 3/5/2004

**BACKUP DOCUMENTATION:**

Bill No. 2004-15

**MOTION:**

**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5681 – UNANIMOUS**

Clerk to proceed with second publication

**MINUTES:**

There was no discussion.

(1:09 – 1:10)

**3-2207**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

**Bill No. 2004-17** – Annexation No. ANX-3693 – Property location: On the northeast corner of Michelli Crest Way and Bath Drive; Petitioned by: Cliffs Edge, LLC; Acreage: 2.60 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

**Fiscal Impact**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the northeast corner of Michelli Crest Way and Bath Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 30, 2004) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2004-17 and Location Map

**MOTION:****None required.****MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

4/5/2004 Recommending Committee

4/7/2004 Council Agenda

(1:10 – 1:11)

**3-2230**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

---

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2004-18** – Annexation No. ANX-3714 – Property location: On the southwest corner of Chieftain Street and Bath Drive; Petitioned by: James and Lori Kibler; Acreage: 2.53 acres; Zoned: R-E (County zoning), U (TC) (City equivalent). Sponsored by: Councilman Michael Mack

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the southwest corner of Chieftain Street and Bath Drive. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 30, 2004) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2004-18 and Location Map

**MOTION:**

**None required.**

**MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

4/5/2004 Recommending Committee

4/7/2004 Council Agenda

(1:10 – 1:11)

**3-2230**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2004-19** – Annexation No. ANX-3740 – Property location: On the east side of Fairhaven Street, 1,170 feet south of Lake Mead Boulevard; Petitioned by: Cytha Price, et al.; Acreage: 1.00 acres; Zoned: R-E (County zoning), U (GC) (City equivalent). Sponsored by: Councilman Lawrence Weekly

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the east side of Fairhaven Street, 1,170 feet south of Lake Mead Boulevard. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 30, 2004) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2004-19 and Location Map

**MOTION:**

**REESE – Motion to bring forward and Hold in ABEYANCE Items 72 and 75 to 4/21/2004 and STRIKE Items 73 and 100 – UNANIMOUS**

**MINUTES:**

There was no discussion.

(9:47 – 9:49)

1-1256



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2004-20** – Revises the zoning standards and procedures for converting public streets into private streets in existing subdivisions. Sponsored by: Councilwoman Janet Moncrief

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

A special use permit currently is required in order to create private streets within a subdivision, including to allow the conversion of public streets to private streets within an existing subdivision. It has been proposed to allow this type of conversion as a conditional use rather than by means of special use permit if certain minimum conditions are met. This bill will accomplish that objective.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2004-20

**MOTION:**

**None required.**

NOTE: MAYOR GOODMAN disclosed that he would have to abstain on this Bill as the property is located near his residence and could affect his property's value.

**MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

4/5/2004 Recommending Committee

4/7/2004 Council Agenda

(1:10 – 1:11)

**3-2230**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

---

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2004-21** – Updates the City’s emergency management provisions. Sponsored by:  
Mayor Oscar B. Goodman

**Fiscal Impact**

☒

**No Impact**

**Amount:**

☐

**Budget Funds Available**

**Dept./Division:**

☐

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill will update the provisions of LVMC Chapter 2.30, relating to emergency management, in accordance with recommendations made by the City’s Management Committee for Emergency Operations. The changes are minor in nature and are intended to simplify the process of responding to emergencies and give the City greater flexibility during that process.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2004-21

**MOTION:**

**None required.**

**MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

4/5/2004 Recommending Committee

4/7/2004 Council Agenda

(1:10 – 1:11)

**3-2230**

**THE MORNING SESSION RECESSED AT 1:11 P.M.**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

**MOTION:**

**REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 114 [SDR-3386] and HOLD IN ABEYANCE Item 122 [VAR-3288] and Item 126 [SUP-3394] to 4/21/2004 and Item 131 [SUP-3653] and Item 132 [SDR-3651] to 5/19/2004 – UNANIMOUS with GOODMAN abstaining on Item 114 [SDR-3386] because there is still money owed to him on property he sold across the street at Casino Center and Bonneville and Item 126 [SUP-3394] because his office is in negotiations regarding billboard signs**

**MINUTES:**

There was no discussion.

(2:07 – 2:10)

4-1

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 104 Sacramento Drive. PROPERTY OWNER: FIRST HORIZON HOME LOAN CORP., C/O FORECLOSURE DEPT. #6205 – Ward 3 (Reese)

**Fiscal Impact**☐**No Impact****Amount:** \$1,121.25☒**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, Weaver Construction was hired to abate the problem by removing all refuse, waste, litter, trash, debris, shopping carts, miscellaneous items, tumbleweeds, and overgrown vegetation; and by posting “No Trespassing” signs on the property.

**RECOMMENDATION:**

That the City Council: 1. Approve the report of expenses in the amount of \$1,121.25 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted

**MOTION:**

**REESE – APPROVED the action of Neighborhood Services – UNANIMOUS with WEEKLY not voting**

CITY COUNCIL MEETING OF MARCH 17, 2004  
Neighborhood Services Department  
Item 104 – 104 Sacramento Drive

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

DAVID SEMENZA, Neighborhood Services, presented a video of the subject property and stated that the property had previously been boarded by the City. It is now in foreclosure and being taken by the mortgage company. Trash and debris had accumulated and weeds had grown very high in the yards. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken or appeal filed, Weaver Construction was hired to abate the problem. The property was nicely cleaned. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$1,121.25 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office.

MAYOR GOODMAN commented that this is a nice home and it is hoped that the City can figure out a way to own it. Nice people could live in that home.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(2:19 – 2:21)

**4-357**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 4736 Teakwood Avenue. PROPERTY OWNER: JAIME L. & HEATHER M.  
CAMPOS – Ward 3 (Reese)

**Fiscal Impact**☐**No Impact****Amount:** \$583.05☒**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, ADS Consulting, Inc. was hired to abate the problem by removing all refuse, waste, litter, trash, debris, miscellaneous items, high/dry/overgrown vegetation, and tarp covering security gate; securing the security gate; and by posting “No Trespassing” signs on the property.

**RECOMMENDATION:**

That the City Council: 1. Approve the report of expenses in the amount of \$583.05 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted

**MOTION:**

**REESE – APPROVED the action of Neighborhood Services – UNANIMOUS with WEEKLY not voting**

CITY COUNCIL MEETING OF MARCH 17, 2004  
Neighborhood Services Department  
Item 105 – 4735 Teakwood Avenue

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

DAVID SEMENZA, Neighborhood Services, presented a video of the subject property and stated that the vacant property was going into foreclosure. The owner indicated that he did not care what the City did with the home. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken or appeal filed, ADS Consulting, Inc. was hired to abate the problem. The property was nicely cleaned. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$583.05 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office.

MAYOR GOODMAN pointed out that this is another nice home. DEPUTY CITY ATTORNEY DAN STILL advised that staff has been working on a new creative resolution to address vacant buildings and intends to bring a report back to the Council at one of the April meetings. MAYOR GOODMAN encouraged the effort as a transitional measure to keep people from becoming homeless.

TODD FARLOW, 240 North 19<sup>th</sup> Street, commended the City on this project. Boarded houses need to be occupied as soon as possible. Occupancy will keep the yards cleaned and the weeds under control.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(2:21 – 2:23)

**4-414**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter and dangerous building located at 1813 Joella Street. PROPERTY OWNER: WASHINGTON MUTUAL BANK FA – Ward 5 (Weekly)

**Fiscal Impact**☐**No Impact****Amount:** \$2,621.55☒**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, ADS Consulting, Inc. was hired to abate the problem by boarding and securing all doors, windows, and openings; removing all trash, debris, litter, refuse, waste, vagrant materials, miscellaneous items, dead/dry/overgrown vegetation, and the inoperable blue van; and by posting “No Trespassing” signs on the property.

**RECOMMENDATION:**

That the City Council: 1. Approve the report of expenses in the amount of \$2,621.55 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted

**MOTION:**

**WEEKLY – APPROVED the action of Neighborhood Services – UNANIMOUS**



CITY COUNCIL MEETING OF MARCH 17, 2004  
Neighborhood Services Department  
Item 106 – 1813 Joella Street

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

DAVID SEMENZA, Neighborhood Services, presented a video of the subject property and stated that there was drug activity within the vacant home. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken or appeal filed, ADS Consulting, Inc. was hired to abate the problem. The inside of the house and outside property was cleaned and the structure secured by boarding. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$2,621.55 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office. He further advised the Council that the mortgage company has been in contact to make arrangements to pay the lien.

AL GALLEGOS, Las Vegas citizen, informed the Council that he spoke with the mortgage company last week to suggest they call MR. SEMENZA. The County is the biggest slumlord in the Valley. The City should take the homes from the County and use them.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(2:23 – 2:26)

4-486

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 609 N. 11th Street. PROPERTY OWNER: TRUSTEE CLARK COUNTY  
TREASURER. – Ward 5 (Weekly)

**Fiscal Impact**☐**No Impact****Amount: \$552.00**☒**Budget Funds Available****Dept./Division: Neighborhood Services/Response**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, City of Las Vegas Rapid Response Team was hired to abate the problem by removing all trash, debris, weeds, miscellaneous items, and vagrant materials; trimming all overhanging tree limbs; removing all dead/dry vegetation; and by posting “No Trespassing” signs on the property.

**RECOMMENDATION:**

That the City Council: 1. Approve the report of expenses in the amount of \$552.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Notice of Public Hearing
5. Chronological List of Events
6. Copy of the Notice and Claim of Lien
7. Video shown but not submitted

**MOTION:****WEEKLY – APPROVED the action of Neighborhood Services – UNANIMOUS**

CITY COUNCIL MEETING OF MARCH 17, 2004  
Neighborhood Services Department  
Item 107 – 609 N. 11<sup>th</sup> Street

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open and referenced the comments of AL GALLEGOS from Item 106.

The property owner was not present.

DAVID SEMENZA, Neighborhood Services, explained that properties go into the care of the Clark County Trustee as a result of outstanding taxes. They do not actually own the property at this time. He presented a video of the subject property and stated that there were vagrants on the property as well as considerable trash and debris. The Department of Neighborhood Services declared the property in violation and started legal notification. During the bid process, it was determined that Rapid Response could correct the property for less than the bids received. Rapid Response was directed to abate the problem. The property was cleaned. MR. SEMENZA recommended the City Council approve the report of expenses in the amount of \$552.00 in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office.

MAYOR GOODMAN stated that he awaits the day the City can put these homes in the right hands.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.

(2:26 – 2:27)

4-568

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PLANNING AND DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

***CONSENT AGENDA***

EXTENSION OF TIME - SPECIAL USE PERMIT

- 108 EOT-3659** - Applicant: Tipanan Sa Franklyns – Owner: Hovanec Ethney Living Trust

REINSTATEMENT AND EXTENSION OF TIME - REZONING

- 109 EOT-3842** - Applicant/Owner: William Hodshon

***DISCUSSION/ACTION ITEMS***

SITE DEVELOPMENT PLAN REVIEW

- 110 SDR-3631** - Applicant: City of Las Vegas

REVIEW OF CONDITION - PUBLIC HEARING

- 111 ROC-3666** - Applicant: Univest I, Limited Liability Company  
**112 ROC-3852** - Applicant: Superior Electrical Advertising – Owners: System Capital Real Property Corporation and Cassu Investment Group  
**113 ROC-3891** - Applicant: Southwest Homes Limited – Owner: Southwest Homes (Centennial Park), Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

- 114 SDR-3386** - Applicant: FM Parking Facilities, Limited Liability Company – Owner: Jerry J. Kaufman, et al

MAJOR MODIFICATION TO THE TOWN CENTER DEVELOPMENT STANDARDS - PUBLIC HEARING

- 115 MOD-3652** - Applicant: Montecito Companies, Limited Liability Company – Owner: Azure South, Inc.

SPECIAL USE PERMIT RELATED TO MOD-3652 - PUBLIC HEARING

- 116 SUP-3650** - Applicant: Montecito Companies, Limited Liability Company – Owner: Azure South, Inc.

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3652 AND SUP-3650 - PUBLIC HEARING

- 117 SDR-3648** - Applicant: Montecito Companies, Limited Liability Company – Owner: Azure South, Inc.

# City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

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City Council Meeting of March 17, 2004

## VACATION - PUBLIC HEARING

- 118 **VAC-3467** - Applicant: Signature Homes – Owner: Plaster Development Company
- 119 **VAC-3555** - Applicant: Centex Homes – Owner: Centex Homes and R & S El Capitan
- 120 **VAC-3643** - Applicant: City Parkway IV, Inc. and City Parkway V, Inc.
- 121 **VAC-3654** - Applicant: Rick Williams, et al – Owner: Craig Buffalo Limited

## VARIANCE - PUBLIC HEARING

- 122 **VAR-3288** - Applicant: Paul and Sandy Brosseau
- 123 **VAR-3658** - Applicant: Bobbye Evans
- 124 **VAR-3736** - Applicant: Durango and Elkhorn, Limited Liability Company – Owner: Durango Elk Holding Company, Limited Liability Company

## SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3736 - PUBLIC HEARING

- 125 **SDR-3657** - Applicant: Durango and Elkhorn, Limited Liability Company – Owner: Durango Elk Holding Company, Limited Liability Company

## SPECIAL USE PERMIT - PUBLIC HEARING

- 126 **ABEYANCE ITEM - SUP-3394** - Las Vegas Billboards on behalf of West Sahara Associated, Limited Partnership
- 127 **SUP-3635** - Applicant: Louis Seligman – Owner: Paramount Investments Company
- 128 **SUP-3636** - Applicant: Acosta Enterprise – Owner: Vraam, Limited Liability Company
- 129 **SUP-3642** - Applicant: Jorge Caldera – Owner: Namco 8, Limited Liability Company
- 130 **SUP-3644** - Applicant: Lukegroup, Limited Liability Company – Owner: Italian-American Club of Southern Nevada
- 131 **SUP-3653** - Applicant: Shadow Hills Plaza, Limited Liability Company

## SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3653 - PUBLIC HEARING

- 132 **SDR-3651** - Applicant: Shadow Hills Plaza, Limited Liability Company

## GENERAL PLAN AMENDMENT - PUBLIC HEARING

- 133 **ABEYANCE ITEM - GPA-3470** - Juan J. Elias

## REZONING RELATED TO GPA-3470 - PUBLIC HEARING

- 134 **ABEYANCE ITEM - ZON-3473** - Juan J. Elias

## SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3470 AND ZON-3473 - PUBLIC HEARING

- 135 **ABEYANCE ITEM - SDR-3475** - Juan J. Elias

# City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

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City Council Meeting of March 17, 2004

## ***NOT TO BE HEARD BEFORE 4:00 P.M.***

### REVIEW OF CONDITION - PUBLIC HEARING

- 136 ABEYANCE ITEM - ROC-2671** - Gerald Garapich, A.I.A., Limited Liability Company on behalf of Grand Teton Lodge Land, Limited Liability Company

### GENERAL PLAN AMENDMENT RELATED TO ROC-2671 - PUBLIC HEARING

- 137 ABEYANCE ITEM - GPA-3483** - Gerald Garapich, A.I.A., Limited Liability Company on behalf of Grand Teton Lodge Land, Limited Liability Company

### REZONING RELATED TO ROC-2671 AND GPA-3483 - PUBLIC HEARING

- 138 ABEYANCE ITEM - ZON-3509** - Gerald Garapich, A.I.A., Limited Liability Company on behalf of Grand Teton Lodge Land, Limited Liability Company

### SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

- 139 SDR-3638** - Applicant: State of Nevada Public Works Board

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3659 - APPLICANT: TIPANAN SA FRANKLYNS - OWNER: HOVANEK ETHNEY LIVING TRUST - Request for an Extension of Time for an approved Special Use Permit (SUP-1132) FOR A PROPOSED RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (TIPANAN SA FRANKLYNS) at 2202 West Charleston Boulevard (APN: 139-32-804-007), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

REESE – APPROVED Item 108 [EOT-3659] and Item 109 [EOT-3842] subject to conditions – UNANIMOUS

**MINUTES:**

There was no discussion.

(2:27 – 2:28)

4-626

**CONDITIONS:**

Planning and Development

1. This Reinstatement and Extension of Time will expire on December 18, 2005 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Rezoning (Z-0020-97) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 108 – EOT-3659

**CONDITIONS - Continued:**

3. Conformance to all minimum requirements under Title 19.04.050 for a Restaurant Service Bar use.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☒

**CONSENT**

☐

**DISCUSSION**

**SUBJECT:**

REINSTATEMENT AND EXTENSION OF TIME - REZONING - **EOT-3842** -  
**APPLICANT/OWNER: WILLIAM HODSHON** - Request for a Reinstatement and  
Extension of Time of an approved Rezoning (Z-0045-01) FROM: R-1 (Single Family  
Residential) TO: P-R (Professional Office and Parking) on 0.16 acres at 500 South 7th Street  
(APN: 139-34-710-027), Ward 1 (Moncrief). Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**REESE – APPROVED** Item 108 [EOT-3659] and Item 109 [EOT-3842] subject to  
**conditions – UNANIMOUS**

**MINUTES:**

There was no discussion.

(2:27 – 2:28)

**4-626**

**CONDITIONS:**

1. This Extension of Time will expire on September 5, 2005 unless another Extension of Time is approved by the City Council.
2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 109 – EOT-3842

**CONDITIONS – Continued:**

3. Conformance to the conditions of approval for Rezoning (Z-0045-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SITE DEVELOPMENT PLAN REVIEW - SDR-3631 - APPLICANT: CITY OF LAS VEGAS** - Request for a Site Development Plan Review FOR A PROPOSED FIRE STATION on a portion of 5.52 acres adjacent to the northwest corner of Harris Avenue and Mojave Road (APN: 139-25-303-014), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**REESE – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

ERIK SINGMAN, Public Works, appeared on behalf of the application, concurred with the conditions and presented the renderings for the structure to be located across the street from Freedom Park.

No one appeared in opposition.

(2:28 – 2:29)

**4-636**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 110 – SDR-3631

**CONDITIONS – Continued:**

3. The provided trash enclosure shall be walled and roofed according to Title 19.08.045.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened from the abutting streets.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Construct half-street improvements on Harris Street adjacent to this site and extending westward to existing improvements concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 110 – SDR-3631

**CONDITIONS – Continued:**

13. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
14. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

CONSENT

☒

DISCUSSION

**SUBJECT:**

REVIEW OF CONDITION - PUBLIC HEARING - **ROC-3666** - **APPLICANT: UNIVEST I, LIMITED LIABILITY COMPANY** - Request for a Review of Condition No. 5 of an approved Site Development Plan Review (SDR-2853), to allow a front setback of 17 feet where 20 feet is required for lots in association with a proposed 58-lot single-family residential development on 6.26 acres adjacent to the southeast corner of Hualapai Way and Shiloh School Lane (APN: portions of 138-07-401-003 and 004), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL. (NOTE: It is Condition #6 being reviewed.)

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 2/12/2004 Planning Commission meeting Item 15

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY RUSSELL ROWE, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. This is a clean-up measure to bring the setback condition into conformance with the approved site development plan.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:29 – 2:30)

4-666

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 111 – ROC-3666

**CONDITIONS:**

Planning and Development

1. Revise Condition No. 6 of SDR-2853 to read as follows:

“6. The setbacks for this development shall be a minimum of 20 feet to the front of the house (11 feet to porch element, 17 feet to non-garage living area), 3 feet on the side, and 5 feet in the rear.”

Public Works

2. The length of any driveway from the face of a structure to the back of sidewalk (or curb, if no sidewalk is proposed) shall be either a minimum distance of 18 feet in length or a maximum of 5 feet in length.
3. Site development to comply with all applicable conditions of approval for SDR-2853, and all other site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3852 - APPLICANT: SUPERIOR ELECTRICAL ADVERTISING - OWNERS: SYSTEM CAPITAL REAL PROPERTY CORPORATION AND CASSU INVESTMENT GROUP - Request for a Review of Condition No. 11 of an approved Site Development Plan Review (SD-0059-01) WHICH REQUIRED A MASTER SIGN PLAN TO BE APPROVED PRIOR TO THE OCCUPANCY OF ANY BUILDINGS on property located adjacent to the southwest corner of Sahara Avenue and Arville Street (APN: 162-07-101-011 and 019), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0

**RECOMMENDATION:**

Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MONCRIEF – APPROVED subject to condition – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

GEORGE ADAMS, Superior Electrical Advertising, 1700 West Anaheim Street, Long Beach, California, appeared on behalf of the applicant. This is a single-use tenant that will have signage similar to his previous location. There is no retail center and no master sign plan required.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:30 – 2:31)

4-705

**CONDITIONS:**

1. All signage for the fast food restaurant shall be in compliance with Title 19.14.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3891 - APPLICANT: SOUTHWEST HOMES LIMITED - OWNER: SOUTHWEST HOMES (CENTENNIAL PARK) LIMITED LIABILITY COMPANY - Request for a Review of Condition Nos. 4 and 5 of an approved Site Development Plan Review (SDR-1925) WHICH ESTABLISHED SETBACKS FOR A 209 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on property located adjacent to the southeast corner of Severence Lane and Campbell Road (APN: 125-17-401-005), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

0

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

0

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. This is a clarification of two conditions from the original land use application to allow models with architectural features to fit on the lots. She concurred with the conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:31 – 2:33)

4-745

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 113 – ROC-3891

**CONDITIONS:**

1. Condition of Approval Number 4 for Site Development Plan Review SDR-1925 shall be amended to read: The standards for this development shall include the following: typical lot size of 2,200 square feet, minimum distance between buildings of 6 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
2. Condition of Approval Number 5 for Site Development Plan Review SDR-1925 shall be amended to read: The setbacks for this development shall be a minimum of 10 feet to the front of the house from living space, 3 feet on the side, 3 feet on the corner side, 3 feet in the rear and 5 feet or less or 18 feet or greater from the garage door.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-3386** -  
**APPLICANT: FM PARKING FACILITIES, LIMITED LIABILITY COMPANY** -  
**OWNER: JERRY J. KAUFMAN, ET AL** - Request for a Site Development Plan Review and a Waiver of the Downtown Centennial Plan Transportation and Parking Standards FOR A COMMERCIAL PARKING LOT (VALET) on 0.97 acres located at 601 South Casino Center Boulevard (APN: 139-34-311-058 through 063), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request from Attorney Jerry Kaufman to withdraw without prejudice

**MOTION:**

**REESE** – Motion to Accept the **WITHDRAWAL Without Prejudice** of Item 114 [SDR-3386] and **HOLD IN ABEYANCE** Item 122 [VAR-3288] and Item 126 [SUP-3394] to 4/21/2004 and Item 131 [SUP-3653] and Item 132 [SDR-3651] to 5/19/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Item 114 [SDR-3386] because there is still money owed to him on property he sold across the street at Casino Center and Bonneville and Item 126 [SUP-3394] because his office is in negotiations regarding billboard signs

**MINUTES:**

There was no discussion.

(2:07 – 2:10)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

MAJOR MODIFICATION TO THE TOWN CENTER DEVELOPMENT STANDARDS - PUBLIC HEARING - **MOD-3652** - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** - **OWNER: AZURE SOUTH, INC.** - Request for a Major Modification to the Town Center Development Standards TO ALLOW AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICE) AS A PERMITTED USE IN THE SX-TC (SUBURBAN MIXED USE – TOWN CENTER) DISTRICT with the approval of a Special Use Permit and Conditions of approval, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open for Item 115 [MOD-3652], Item 116 [SUP-3650] and Item 117 [SDR-3648].

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, and MATT WERNER, Montecito Companies, 6600 West Charleston Boulevard, Suite #126, appeared on behalf of the applicant. ATTORNEY LAZOVICH advised MAYOR GOODMAN that this is a Shulman project. MR. WERNER clarified that MR. SNYDER had an interest in property brought forward under and within a Montecito Companies project, but had never had an ownership interest with this project or with Montecito Companies itself. DEPUTY CITY ATTORNEY BRYAN SCOTT assured MAYOR GOODMAN that upon that representation, he was not required to abstain due to a partnership with MR. SNYDER regarding property owned in Apex.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 115 – MOD-3652

**MINUTES – Continued:**

TODD FARLOW, 240 North 19<sup>th</sup> Street, commented on the grass landscaping shown in the rendering displayed at the Planning Commission meeting. He expressed concerns with the non-drought tolerant landscaping, especially along the trail, and with the poor architectural design.

COUNCILMAN MACK expressed appreciation for the aesthetically pleasing tire store. There was initial concern with the proximity to a neighborhood, but the developer has worked with those neighbors regarding increased tree buffering. ATTORNEY LAZOVICH concurred with the added condition on Item 117 [SDR-3648]. MR. WERNER noted that the rendering was provided by Discount Tire to show the new building elevation. The landscaping was artistic license. The proposed landscaping is desert landscaping and ground cover specified in the Town Center standards.

ROBERT GENZER, Director of Planning and Development Department, reported that staff did not have the revised plan and requested that the developer be directed to provide same. ATTORNEY LAZOVICH provided a copy of the plan to MR. GENZER.

MAYOR GOODMAN declared the Public Hearing closed for Item 115 [MOD-3652], Item 116 [SUP-3650] and Item 117 [SDR-3648].

(2:33 – 2:40)

**4-796**

**CONDITIONS:**

Planning and Development

1. A Site Development Plan Review (SDR-3648) and a Special Use Permit (SUP-3650) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Centennial Hills Town Center Development Standards Manual, except as amended by this request.
3. Add the following to the Centennial Hills Town Center Development Standards Manual:

Add “Auto Parts (New and Rebuilt) (Accessory Sales and Service)” as a Special Use Permit to the SX-TC (Suburban Mixed Use - Town Center) column only of the Permitted Uses Matrix under Section B.2 of the Manual; and

Add the following text as a new Subsection 1a) under Section B.4.b of the Manual:

- “ 1a) Auto Parts (New and Rebuilt) (Accessory Sales and Service)
- All conditions for this use as specified under Title 19.04.040 must be satisfied for the issuance of a Special Use Permit for this use. In addition, the following conditions must also be satisfied.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 115 – MOD-3652

**CONDITIONS – Continued:**

- The building occupied by the Auto Parts use must be at least 330 feet from the property boundary of any adjacent land containing existing single-family or condominium residential development, or any land designated to allow the development of single-family or condominium residential development, or be separated from such existing or potential residential areas by an existing trail/buffer area with a minimum width of 30 feet.
- Any vehicular doors must not face any adjacent land containing existing single-family or condominium residential development, or any land designated to allow the development of single-family or condominium residential development.”

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO MOD-3652 - PUBLIC HEARING - **SUP-3650** -  
**APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** -  
**OWNER: AZURE SOUTH, INC.** - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR AN AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICE) USE on a 0.92 acre portion of 7.24 acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way (APN: 125-27-222-002), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use – Town Center) Land Use Designation], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Kummer Kaempfer Bonner & Renshaw

**MOTION:**

**MACK – Granted the Appeal; thereby APPROVING the Special Use Permit subject to conditions – UNANIMOUS**

**MINUTES:**

NOTE: See Item 115 [MOD-3652] for all related discussion.

(2:33 – 2:40)

**4-796**

**CONDITONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3652) and Site Development Plan Review [SDR-3648].
2. Conformance to all Minimum Requirements under Title 19.04.040 for an Auto Parts (New and Rebuilt) and (Accessory Sales and Service) use.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 116 – MOD-3652

**CONDITIONS – Continued:**

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3652 AND SUP-3650 - PUBLIC HEARING - **SDR-3648** - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** - **OWNER: AZURE SOUTH, INC.** - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Site Development Plan Review and a Waiver of the perimeter and buffering landscaping requirements FOR A 7,852 SQUARE FOOT AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES AND SERVICE) STORE on a 0.92 acre portion of 7.24 acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way (APN: 125-27-222-002), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use – Town Center) Land Use Designation], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Kummer Kaempfer Bonner & Renshaw
5. Protest letter from M&S Goodweiler

**MOTION:**

**MACK – Granted the Appeal; thereby APPROVING the Site Development Plan Review and Waiver subject to conditions and adding the following at the end of Condition 5:**

- *Within the trail planter areas, the 24-inch box trees shall be a maximum of 15 feet on-center adjacent to this site.*
- UNANIMOUS

**MINUTES:**

NOTE: See Item 115 [MOD-3652] for all related discussion.

(2:33 – 2:40)

4-796

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 117 – SDR-3648

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect handicap spaces that meet current Code requirements.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site, if not already done as part of the master development. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, other than as reduced through a specific Waiver request.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 117 – SDR-3648

**CONDITIONS – Continued:**

9. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. If not already constructed by the master developer, construct the full width of the driveway and sufficient onsite paving to allow two-way traffic to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.
16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 117 – SDR-3648

**CONDITIONS – Continued:**

17. Site development to comply with all applicable conditions of approval for Z-0076-98(20), the Montecito East Commercial Subdivision, the approved Traffic Impact Analysis and all other applicable site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VACATION - PUBLIC HEARING - VAC-3467 - **APPLICANT: SIGNATURE HOMES**  
- **OWNER: PLASTER DEVELOPMENT COMPANY** - Petition to Vacate a portion of the west half of Thom Boulevard, south of Horse Drive, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

0

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

0

**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

KATHRYN L. GRIDER, Orion Engineering, 3068 East Sunset Road, Suite #9, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:40)

**4-1042**

**CONDITIONS:**

1. This proposed vacation shall vacate the westerly most 4.5-feet of right-of-way along Thom Boulevard adjacent to this site.
2. Retain rights-of-way and dedicate any additional rights-of-way needed to provide a 20-foot radius corner at the southwest corner of Horse Drive and Thom Boulevard.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 118 – VAC-3467

**CONDITIONS – Continued:**

3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by Site Development Plan Review SDR-3072 may be used to satisfy this condition.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VACATION - PUBLIC HEARING - VAC-3555 - **APPLICANT: CENTEX HOMES - OWNER: CENTEX HOMES AND R & S EL CAPITAN** - Petition to Vacate public sewer and drainage easements generally located south of Racel Street, north of Grand Teton Drive between Durango Drive and Al Carrison Street, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN BROWN clarified with COUNCILMAN MACK that this applicant is not the owner of a small office complex at Alexander and Buffalo and operating without a license. That developer is Matrix Construction. He then directed DEPUTY CITY ATTORNEY BRYAN SCOTT to investigate the situation with that office complex.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:40 – 2:43)

**4-1065**

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 119 – VAC-3555

**CONDITIONS:**

1. The Order of Vacation shall record immediately after the recordation for the Final Map for Santa Bella 4 in order to provide alternative sewer and drainage easements acceptable to the Department of Public Works.
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION - PUBLIC HEARING - VAC-3643 - **APPLICANT: CITY PARKWAY IV, INC. AND CITY PARKWAY V, INC.** - Petition to Vacate a portion of the east half of Grand Central Parkway, a portion of the north half of Bonneville Avenue and a portion of a sixty-foot wide Public Drainage Easement generally located north of Bonneville Avenue, between the Union Pacific Railroad Right-of-Way and Grand Central Parkway, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**WEEKLY – APPROVED subject to conditions – UNANIMOUS**

NOTE: MAYOR GOODMAN initially abstained because MR. ZARING owns property in conjunction with either himself or MR. SNYDER, a partner of his at Apex. However, the City Attorney's office clarified for him that the application is represented by CITY MANAGER SELBY, with whom he has no conflict.

**MINUTES:**

MAYOR PRO TEM REESE declared the Public Hearing open.

DAVID WILSON, Kimley-Horn and Associates, Inc., 1050 East Flamingo Road, Suite S-210, appeared on behalf of the applicant and concurred with all conditions.

TOM McGOWAN, Las Vegas resident, questioned the purpose of the vacation. MR. WILSON explained that one portion is for right-of-way adjacent to Grand Central Parkway and the other adjacent to the Union Pacific Railroad. The 60-foot width of the drainage easement is no longer required and may be narrowed to 20 feet. The property will be developed as an urban village complex. MR. McGOWAN stated that failure to provide that information in the agenda text caused the meeting to be out-of-order.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 120 – VAC-3643

**MINUTES – Continued:**

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:43 – 2:45)

**4-1161**

**CONDITIONS:**

1. All development shall be in conformance with code requirements and design standards of all City departments.
2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
3. This Vacation shall include the eastern and southernmost five feet (including tapers) of the Grand Central Parkway right-of-way and the northernmost five feet (including tapers) of right-of-way along the Bonneville Avenue alignment. It shall also include vacating the westernmost 40 feet of the existing 60-foot drainage easement located on the eastern boundary of the site.
4. A plan demonstrating how the area to be vacated will be incorporated into the adjacent property shall be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Vacation for this site. The plan shall also indicate where pedestrian access easements will be required for sidewalk outside of the right-of-way. Such easements shall be granted prior to the recordation of an Order of Vacation for this site, unless otherwise allowed by the City Engineer.
5. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
6. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 120 – VAC-3643

**CONDITIONS – Continued:**

7. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VACATION - PUBLIC HEARING - VAC-3654 - **APPLICANT: RICK WILLIAMS, ET AL - OWNER: CRAIG BUFFALO LIMITED** - Petition to Vacate the north 30 feet of Helena Avenue, between Buffalo Drive and Quadrel Street, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

0

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

0

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining because MR. ZARING owns property in conjunction with either himself or MR. SNYDER, a partner of his at Apex**

**MINUTES:**

MAYOR PRO TEM REESE declared the Public Hearing open and declared his abstention.

JIM VELTMAN, Veltman Planning & Design, 4470 North Chieftain Street, appeared on behalf of the applicant and concurred with conditions.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:45 – 2:47)

**4-1256**

**CONDITIONS:**

1. All development shall be in conformance with code requirements and design standards of all City departments.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 121 – VAC-3654

**CONDITIONS – Continued:**

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided, if required.
3. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required by Rezoning Application ZON-3461 may be used to satisfy this condition, provided that it includes the area proposed to be vacated.
4. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
5. The Order of Vacation shall not be recorded until all of the above conditions have been met; provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VARIANCE - PUBLIC HEARING - VAR-3288 - APPLICANT: PAUL AND SANDY BROUSSEAU - Request for a Variance to ALLOW A 5 FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED FOR an addition to an existing single family dwelling at 304 Canyon Drive (APN: 139-32-211-031), R-E (Residence Estates) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
 City Council Meeting

1

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
 City Council Meeting

0

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Letter requesting the item be tabled from Paul and Sandy Brosseau
5. Submitted after final agenda – Abeyance request from Paul and Sandy Brosseau
6. Back up referenced from the 2/12/2004 Planning Commission meeting Item 21

**MOTION:**

REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 114 [SDR-3386] and HOLD IN ABEYANCE Item 122 [VAR-3288] and Item 126 [SUP-3394] to 4/21/2004 and Item 131 [SUP-3653] and Item 132 [SDR-3651] to 5/19/2004 – UNANIMOUS with GOODMAN abstaining on Item 114 [SDR-3386] because there is still money owed to him on property he sold across the street at Casino Center and Bonneville and Item 126 [SUP-3394] because his office is in negotiations regarding billboard signs

**MINUTES:**

There was no discussion.

(2:07 – 2:10)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

VARIANCE - PUBLIC HEARING - VAR-3658 - APPLICANT: BOBBYE EVANS - Request for a Variance TO ALLOW AN 8-FOOT REAR YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN EXISTING ROOM ADDITION on 0.15 acres located at 5528 Green Willow Street (APN: 125-34-511-064), R-CL (Single Family Compact-Lot) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

0

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

1

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS with WEEKLY not voting**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

BOBBYE EVANS, 5528 Green Willow Street, explained that she purchased the property in 1994 and needed the enclosed patio in order to have a safe and climate controlled place for the ADHD foster children she adopted to play. This does not interfere with the neighbors, and the neighbor to the rear submitted a support letter. The addition meets the building code. The person doing the work questioned the permit, and there was confusion that an additional permit was needed for the enclosure. She agreed to install outside lighting, raise the floor and concurred with all conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:15 – 2:19)

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 123 – VAC-3658

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0073-92).
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - VAR-3736 - APPLICANT: DURANGO AND ELKHORN, LIMITED LIABILITY COMPANY - OWNER: DURANGO ELK HOLDING COMPANY, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 109 PARKING SPACES WHERE 138 PARKING SPACES ARE THE MINIMUM REQUIRED in conjunction with a proposed office/retail development on 1.75 acres adjacent to the west side of Durango Drive, approximately 350 feet south of Elkhorn Road (portion of APN: 125-20-101-008 and 009), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions and deleting Condition 3 – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open for Item 124 [VAR-3736] and Item 125 [SDR-3657].

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with the condition, except Condition 3 pertaining to the site development plan. The applicant owns both pieces of property and requested that the condition be eliminated.

TODD FARLOW, 240 North 19<sup>th</sup> Street, protested that the applicant could sell one parcel and opposed elimination of the condition.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 124 – VAR-3736

**MINUTES – Continued:**

COUNCILMAN MACK explained that a reduction in the building square footage required additional.

MAYOR GOODMAN declared the Public Hearing closed for Item 124 [VAR-3736] and Item 125 [SDR-3657].

(2:47 – 2:49)

**4-1293**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3657).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The applicant will ensure that a shared access and parking agreement is entered into for this site that covers the entirety of both parcels (APN 125-20-101-008 and 009) and that this agreement is registered on the titles of these parcels, prior to the issuance of any building permits.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3736 - PUBLIC HEARING - SDR-3657 - **APPLICANT: DURANGO AND ELKHORN, LIMITED LIABILITY COMPANY** - **OWNER: DURANGO ELK HOLDING COMPANY, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and Waivers of the Town Center Development Standards for the two-story minimum height requirement in the Urban Center Mixed Use District and the 70 percent clear glazing requirement at the ground floor level along primary pedestrian routes FOR A 17,000 SQUARE-FOOT COMMERCIAL DEVELOPMENT on 1.75 acres adjacent to the west side of Durango Drive, approximately 350 feet south of Elkhorn Road (portion of APN: 125-20-101-008 and 009), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

NOTE: See Item 124 [VAR-3736] for all related discussion.

(2:47 – 2:49)

**4-1293**

**CONDITONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Variance (VAR-3736) to allow 109 parking spaces where 138 parking spaces are the minimum required on this site.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 125 – SDR-3657

**CONDITIONS – Continued:**

2. A Master Sign Plan shall be submitted for approval by the Centennial Hills Town Center Architectural Review Committee (CHARC) prior to the issuance of a Certificate of Occupancy for any building on the site. Prior to the submittal of a Master Sign Plan, the sign standards established for the SC-TC (Service Commercial – Town Center) District shall be applicable and must be approved as a Special Use Permit.
3. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
5. Trash enclosures shall be gated, walled, and roofed to match the architectural theme of buildings on the site.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 125 – SDR-3657

**CONDITIONS – Continued:**

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate with the City Surveyor to determine whether an Administrative Joining or mapping is necessary; if such map is required, it should record prior to the issuance of any permits for this site.
16. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits.
17. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
18. Landscape and maintain all unimproved rights-of-way on Durango Drive and Elkhorn Road adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Durango Drive and Elkhorn Road public right-of-way adjacent to this site prior to occupancy of this site.
20. Site development to comply with all applicable conditions of approval for Z-0085-02 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ABEYANCE ITEM** - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN: 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>3</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter submitted by LAS Consulting, Inc.
5. Submitted after final agenda – abeyance request by Singer & Brown

**MOTION:**

**REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 114 [SDR-3386] and HOLD IN ABEYANCE Item 122 [VAR-3288] and Item 126 [SUP-3394] to 4/21/2004 and Item 131 [SUP-3653] and Item 132 [SDR-3651] to 5/19/2004 – UNANIMOUS with GOODMAN abstaining on Item 114 [SDR-3386] because there is still money owed to him on property he sold across the street at Casino Center and Bonneville and Item 126 [SUP-3394] because his office is in negotiations regarding billboard signs**

**MINUTES:**

There was no discussion.

(2:07 – 2:10)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3635 - APPLICANT: LOUIS SELIGMAN - OWNER: PARAMOUNT INVESTMENTS COMPANY - Request for a Special Use Permit FOR OPEN AIR VENDING (HOT DOG CART) at 1924 East Charleston Boulevard (APN: 162-02-512-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

1

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

0

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**REESE – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

LOUIS SELIGMAN, 6930 South Paradise Road, appeared on behalf of the applicant and concurred with the conditions.

MAYOR GOODMAN indicated that this is a very poor location with very little foot traffic for a hot dog cart. There could be actual traffic problems with people trying to cross Charleston at the middle of the block. MR. SELIGMAN stated that he just wanted an opportunity to sell his New York Sarrett hot dogs. COUNCILMAN REESE agreed with the comments about the location, but the decision is the applicant's. He confirmed with MR. SELIGMAN that the cart cannot be moved down the street if it does not work out.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 127 – SUP-3635

**MINUTES – Continued:**

TODD FARLOW, 240 North 19<sup>th</sup> Street, expressed his hope the applicant is very successful and can give the landlord money to fix up his property. The signage at the property is very poor. Lastly, the Home Base site in the Charleston Plaza was approved for this same type of permit and that might be a better location.

AL GALLEG0, citizen of Las Vegas, suggested the 7<sup>th</sup> floor of the City garage as a good site.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:49 – 2:53)

**4-1404**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. This business shall operate in conformance with Chapter 6.55 of the City of Las Vegas Municipal Code.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. The proposed hot dog cart shall not be located within the existing public right-of-way, interfere with Site Visibility Restriction Zones or cause an obstruction to vehicular or pedestrian travel corridors.
5. The Special Use Permit is subject to review by the Planning Commission one year after the issuance of the business license.



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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3636 - APPLICANT: ACOSTA ENTERPRISE - OWNER: VRAAM LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) in conjunction with a proposed grocery store adjacent to the east side of Eastern Avenue 150 feet north of Mesquite Avenue (APN: 139-36-110-002, 003), C-1 (Limited Commercial) Zone and R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>3</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter from Marla Weaver
5. Back up referenced from the 2/12/2004 Planning Commission meeting Item 32

**MOTION:**

**REESE – APPROVED subject to conditions – UNANIMOUS with MONCRIEF not voting**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

RENATO MORALES, JR. and VICKI MORALES, 1241 Dutch Flat Street, 89110, appeared on behalf of the applicant.

COUNCILMAN REESE outlined the privilege it has been to work with the applicants on this project adjacent to an existing shopping center in a location where he has begged for private investment. He encouraged the City to assist the applicants with what will be a successful venture. LEO GARCIA, Acosta Enterprises, 573 East Twain Avenue, advised MAYOR GOODMAN that the store will be 8,000 square feet. They were unsuccessful in working with

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 128 – SUP-3636

**MINUTES – Continued:**

the Office of Business Development, but they would be willing to open a third location at a good site. MAYOR GOODMAN called this the ideal prototype for a neighborhood market in downtown. MS. MORALES expressed appreciation for the help of COUNCILMAN REESE, his staff and all the other City staff. They will contact the Office of Business Development again.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:53 – 2:57)

**4-1557**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-Premise Consumption) use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0062-02) and Site Development Plan Review [Z-0062-02(1)].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only, and is limited to a 200 square-foot cooler area.
7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3642 - APPLICANT: JORGE CALDERA - OWNER: NAMCO 8 LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR AN AUTO PAINT AND BODY REPAIR SHOP located at 4920 West Cheyenne Avenue (APN: 138-12-813-001), C-2 (General Commercial) Zone and R-E (Residence Estates) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

JORGE CALDERA, 3414 Mosaic Street, North Las Vegas, was present and concurred with the conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:57)

**4-1679**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for an Auto Paint and Body Repair Shop use.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 129 – SUP-3642

**CONDITIONS – Continued:**

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance to the Conditions of Approval for Rezoning (Z-0079-97).
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. This Special Use Permit is limited to operation solely at 4920 West Cheyenne Avenue, a 5,700 square foot portion of Building #3 as shown on the site plan dated February 12, 2004.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3644 - APPLICANT: LUKEGROUP, LIMITED LIABILITY COMPANY - OWNER: ITALIAN-AMERICAN CLUB OF SOUTHERN NEVADA** - Request for a Special Use Permit and a Waiver of the minimum 400 square-foot size requirement of which a minimum of 200 square feet must be an enclosed structure and the required 20-foot minimum front yard setback FOR AN AUTO SMOG CHECK FACILITY located adjacent to the north side of Sahara Avenue, approximately 650 feet east of Eastern Avenue (A portion of APN: 162-01-401-006), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (5-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 2/12/2004 Planning Commission meeting Item 14

**MOTION:**

**REESE – APPROVED subject to conditions and deleting Conditions 5 and 6 – UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

LAWRENCE LUCAS, Lukegroup, Limited Liability Company, 9101 West Sahara Avenue, was present. This was previously an ATM kiosk. He concurred with the conditions, with the exception of Conditions 5 and 6. The cost impact and inefficiency of underground sprinklers and landscaping for such a small area is not justified. In working with staff, an alternative has been identified for desert cactus landscaping that can be hand watered. ROBERT GENZER, Director of Planning and Development Department, confirmed that staff did not oppose the alternative, which would require deletion of Conditions 5 and 6.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 130 – SUP-3644

**MINUTES – Continued:**

TODD FARLOW, 240 North 19<sup>th</sup> Street, complained about the status of the property and cited this as the one time the City has leverage to encourage this terrible property to be upgraded. He questioned whether filtered equipment will be used when the engines are run to do the smog checks. There are too many problems with the property.

JOE LOMANTO, Italian-American Club of Southern Nevada, 2333 East Sahara Avenue, rebutted that the property is well maintained. The kiosk was just vacated after 20 years and everything the City has asked has been done.

COUNCILMAN REESE expressed his appreciation that this icon did not leave the site. They have fought to maintain and survive at this location and the addition will offset some of their expenses.

MAYOR GOODMAN declared the Public Hearing closed.

(2:57 – 3:03)

**4-1706**

**CONDITIONS:**

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.040 for an Auto Smog Check Facility use, with the exception of Condition #1.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect three Handicap Accessible parking spaces (one Van Accessible), within the parking lot. Accessible parking spaces shall be located with the most direct and practical access to a primary accessible building entrance.
5. A landscape plan shall be approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum 24-inch box tree within each planter adjacent to the Facility and a minimum of four five-gallon shrubs for each tree within provided planters.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 130 – SUP-3644

**CONDITIONS – Continued:**

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The structure and use shall not cause an obstruction to on or off-site vehicular travel. Any modifications required to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and shall also receive approval from the Nevada Department of Transportation.

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**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3653 - APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT, OFF-PREMISE CONSUMPTION in conjunction with a proposed 39,960 square-foot Grocery Store adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street (APN: 137-12-401-030 and 022; 137-12-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) general plan designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter from Mr. and Mrs. Ronald Maguire
5. Submitted after final agenda - Abeyance requested by Kummer Kaempfer Bonner & Renshaw for Item 131 [SUP-3653] and Item 132 [SDR-3651] filed under Item 131 [SUP-3653]
6. Submitted after final agenda – Protest letter from Jack and Nina Jennings
7. Back up referenced from the 2/12/2004 Planning Commission meeting Item 9

**MOTION:**

**REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 114 [SDR-3386] and HOLD IN ABEYANCE Item 122 [VAR-3288] and Item 126 [SUP-3394] to 4/21/2004 and Item 131 [SUP-3553] and Item 132 [SDR-3651] to 5/19/2004 – UNANIMOUS with GOODMAN abstaining on Item 114 [SDR-3386] because there is still money owed to him on property he sold across the street at Casino Center and Bonneville and Item 126 [SUP-3394] because his office is in negotiations regarding billboard signs**

**MINUTES:**

There was no discussion.

(2:07 – 2:10)



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3653 - PUBLIC HEARING - **SDR-3651** - **APPLICANT: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and a Waiver of the foundation landscaping buffer FOR A PROPOSED 87,790 SQUARE-FOOT RETAIL CENTER on 11.73 acres adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street (APN: 137-12-401-030 and 022; 137-12-201-001), U (Undeveloped) Zone [PCD (Planned Community Development) general plan designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain special land use designation], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Abeyance requested by Kummer Kaempfer Bonner & Renshaw for Item 131 [SUP-3653] and Item 132 [SDR-3651] filed under Item 131 [SUP-3653]
5. Back up referenced from the 2/12/2004 Planning Commission meeting Item 10

**MOTION:**

**REESE – Motion to Accept the WITHDRAWAL Without Prejudice of Item 114 [SDR-3386] and HOLD IN ABEYANCE Item 122 [VAR-3288] and Item 126 [SUP-3394] to 4/21/2004 and Item 131 [SUP-3553] and Item 132 [SDR-3651] to 5/19/2004 – UNANIMOUS with GOODMAN abstaining on Item 114 [SDR-3386] because there is still money owed to him on property he sold across the street at Casino Center and Bonneville and Item 126 [SUP-3394] because his office is in negotiations regarding billboard signs**

**MINUTES:**

There was no discussion.

(2:07 – 2:10)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**ABEYANCE ITEM** - GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-3470 - JUAN J. ELIAS** - Request to amend a portion of the Southwest Sector Future Land Use Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.15 acres adjacent to the northeast corner of Bonanza Road and Twenty-Third Street (APN: 139-26-811-094), Ward 5 (Weekly). The Planning Commission (4-1 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (4-1 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application (Not Applicable)
3. Staff Report

**MOTION:**

**WEEKLY – APPROVED – UNANIMOUS**

NOTE: COUNCILMAN REESE disclosed that he owns a barbershop within 200 feet of this location, but this application will not impact that business or his duties as an on-site manager of the center and he would vote on these items.

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open for Item 133 [GPA-3470], Item 134 [ZON-3473] and Item 135 [SDR-3475].

JUAN J. ELIAS, 2301 East Bonanza, was present with KELLY BENEVIDEZ, Council Liaison for COUNCILMAN WEEKLY, to translate. MR. ELIAS stated that he had nothing to add. MS. BENEVIDEZ outlined the efforts working with the applicant to address site development plan problems. Pending resolution of those problems, the general plan amendment and rezoning should go forward and the site development plan application should be tabled.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 133 – GPA-3470

**MINUTES – Continued:**

COUNCILMAN WEEKLY supported the proposal for action, including tabling the site plan. The intent is for the applicant to work more closely with staff and a professional to create the site plan. ROBERT GENZER, Director of Planning and Development Department, clarified that no conditions would need to be revised as a result of the tabling of the site development plan.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 115 [MOD-3652], Item 116 [SUP-3650] and Item 117 [SDR-3648].

(3:03 – 3:07)

**4-1941**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ABEYANCE ITEM** - REZONING RELATED TO GPA-3470 - PUBLIC HEARING - **ZON-3473 - JUAN J. ELIAS** - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: N-S (NEIGHBORHOOD SERVICE) AND FOR A WAIVER TO ALLOW A 68 FOOT WIDE LOT WHERE 100 FEET IS REQUIRED on 0.15 acres adjacent to the northeast corner of Bonanza Road and Twenty-Third Street (APN: 139-26-811-094), Ward 5 (Weekly). The Planning Commission (3-2 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (3-2 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**WEEKLY – APPROVED subject to conditions – UNANIMOUS**

**MINUTES:**

NOTE: See Item 133 [GPA-3470] for all related discussion.

(3:03 – 3:07)

**4-1941**

**CONDITONS:**

Planning and Development

1. A General Plan Amendment (GPA-3470) to a SC (Service Commercial) land use redesignation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-3475) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 134 – ZON-3473

**CONDITIONS – Continued:**

Public Works

4. Dedicate a 25-foot radius on the northeast corner of Bonanza Road and Twenty Third Street prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE ITEM** - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3470 AND ZON-3473 - PUBLIC HEARING - **SDR-3475 - JUAN J. ELIAS** - Request for a Site Development Plan Review FOR A PROPOSED COMMERCIAL BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 0.15 acres adjacent to the northeast corner of Bonanza Road and Twenty-Third Street (APN: 139-26-811-094), R-1 (Single Family Residential) Zone [PROPOSED: N-S (Neighborhood Service)], Ward 5 (Weekly). The Planning Commission (4-1 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

The Planning Commission (4-1 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**WEEKLY – TABLED – UNANIMOUS**

**MINUTES:**

NOTE: See Item 133 [GPA-3470] for all related discussion.

(3:03 – 3:07)

**4-1941**

**RECESSED: 3:07 – 4:00 P.M. (4-2094)**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**NOT TO BE HEARD BEFORE 4:00 PM - ABEYANCE ITEM** - REVIEW OF CONDITION - PUBLIC HEARING - **ROC-2671 - GERALD GARAPICH, A.I.A., LIMITED LIABILITY COMPANY ON BEHALF OF GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY** - Request for a Review of Condition No. 6 of an approved Special Use Permit (U-0011-00) WHICH RESTRICTED COMMERCIAL ZONING TO THE WESTERN PORTION OF APN: 125-09-401-006 adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN: 125-09-401-006 and 017), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Planning Commission (4-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**123****APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0****RECOMMENDATION:**

The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application (Not Applicable)
3. Staff Report

**MOTION:**

**MACK – APPROVED subject to condition and an added condition that *there shall be an additional one-acre of commercial on Parcel APN 125-09-401-006 adjacent to the previous approved commercial to the west only* – UNANIMOUS with BROWN not voting**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open for Item 136 [ROC-2671], Item 137 [GPA-3483] and Item 138 [ZON-3509].

KAREN RICHARDSON, 815 Pilot Road, and LUCY STEWART, 2754 Highland Drive, appeared on behalf of and with the applicant, STUART APOLLO, 7600 Westcliff Drive. MS. RICHARDSON reviewed the original site plan submitted with the applications indicating the

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 136 – ROC-2671

**MINUTES – Continued:**

entire 10-acre piece as commercial development. Through and after the Planning Commission meeting, the applicant met with the neighbors in an effort to address their concerns with the mini storage located on the eastern 5-acre piece. Revisions have been made to the site plan for change to seven acres of residential and three acres of commercial. MS. STEWART added that significant changes have been made to the plan. There had been some confusion that the tavern located on two acres at the corner was already approved. The proposal is to add approximately one more acre of commercial and develop the remainder of the parcel with residential uses. They can move forward with the commercial portion and bring back before the Council the residential portion, to which the applicant is committed to doing so as quickly as possible. There will have to be another site development plan review before the Planning Commission. Originally the Planning Commission approved the western five acres and denied the eastern five acres. It is hoped that both portions of the project can be coordinated to be heard at the same time before the Planning Commission. The applicant has agreed to the conditions, including that the height of the new development will be consistent with the architecture and height of the tavern.

TODD FARLOW, 240 North 19<sup>th</sup> Street, pointed out that the separation between the commercial and residential development is Butler Street and that there has been discussion to vacate Butler Street. Butler Street would be a logical division between the two uses.

CLARK SPENDLOVE, 8124 Quail Nest Avenue, expressed his gratitude for some of the changes. There are still concerns with commercial property diagonal from this parcel that remains vacant. He urged the Council to protect the neighbors by preventing rental signs or big vinyl banners. It is important that landscaping be installed and maintained consistent with the landscaping plan. He gave an example of another tavern which functions much like a liquor store.

JOE MARTINO, 7955 Quail Heaven Street, appeared as the Vice President of the Carriage Park Homeowners Association. Initially the neighbors were concerned and did not know that the tavern was already approved. In a spirit of cooperation, the neighbors are accepting more commercial development and MR. APOLLO is providing a greater amount of residential development.

MS. STEWART assured the Council that many of the concerns raised will not happen because MR. APOLLO is both the property owner and operator. It is not a large parcel and will be build-to-suit.



CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 136 – ROC-2671

**MINUTES – Continued:**

COUNCILMAN MACK thanked the applicant, his representatives and City staff for their efforts to compromise. Both the additional acre of commercial and residential developments will come back as site development plan reviews. The additional one-acre that is being added as commercial is located on an odd shape parcel. The use permit for the tavern was approved many years ago. COUNCILMAN MACK read modifications of conditions on each application, as reflected in each motion. MAYOR GOODMAN confirmed with MR. APOLLO and MS. STEWART that the revised conditions were acceptable.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 136 [ROC-2671], Item 137 [GPA-3483] and Item 138 [ZON-3509].

(4:01 – 4:14)

**4-2160**

**CONDITIONS:**

Planning and Development

1. Conformance to all applicable conditions of approval for Rezoning (ZC-1702-98), Special Use Permit and Site Development Plan Review (U-0011-00) (except for condition #6), and all other site-related actions, as required by the Planning and Development Department and Department of Public Works.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**NOT TO BE HEARD BEFORE 4:00 PM - ABEYANCE ITEM** - GENERAL PLAN AMENDMENT RELATED TO ROC-2671 - PUBLIC HEARING - **GPA-3483 - GERALD GARAPICH, A.I.A., LIMITED LIABILITY COMPANY ON BEHALF OF GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY** - Request to amend a portion of the Centennial Hills Sector of the General Plan FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL) on 7.84 acres adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN: 125-09-401-006 and 017), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL. **(NOTE: Recommendation of approval of this General Plan Amendment is for APN: 125-09-401-006 only)**

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

**287****APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

**0****RECOMMENDATION:**

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

**MOTION:**

**MACK – APPROVED** subject to amending the condition to read: The plan amendment pertains to *the western three acres of APN 125-09-401-006 only* – **UNANIMOUS** with **BROWN** not voting

**MINUTES:**

NOTE: See Item 136 [ROC-2671] for all related discussion.

(4:01 – 4:14)

**4-2160**

**CONDITONS:**

Planning and Development

1. The plan amendment pertains to the westerly lot, APN: 125-04-401-006 only.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**NOT TO BE HEARD BEFORE 4:00 PM - ABEYANCE ITEM** - REZONING RELATED TO ROC-2671 AND GPA-3483 - PUBLIC HEARING - **ZON-3509 - GERALD GARAPICH, A.I.A., LIMITED LIABILITY COMPANY ON BEHALF OF GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (UNDEVELOPED) [PCD (Planned Community Development) General Plan Designation] TO: C-1 (LIMITED COMMERCIAL) on 7.84 acres adjacent to the northeast corner of Grand Teton Drive and Durango Drive (APN: 125-09-401-006 and 017), Ward 6 (Mack). The Planning Commission (4-1 vote) and staff recommend APPROVAL. **(NOTE: Recommendation of approval of this Rezoning is for APN: 125-09-401-006 only)**

**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.**  
**City Council Meeting****288****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.**  
**City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MACK – APPROVED** subject to conditions and amending Conditions 3 and 4 to read as follows:

3. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
  4. This rezoning applies to *the western most three acres of APN: 125-09-401-006 only.*
- UNANIMOUS with BROWN not voting

**MINUTES:**

NOTE: See Item 136 [ROC-2671] for all related discussion.

(4:01 – 4:14)

4-2160

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 138 – ZON-3509

**CONDITIONS:**

Planning and Development

1. A General Plan Amendment (GPA-3483) to a SC (Service Commercial) land use redesignation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Special Use permit (SUP-3513), and a Site Development Plan Review (SDR-3511) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. This rezoning only applies to the east half of the westerly lot, APN: 125-04-401-006.

Public Works

5. Dedicate 60 feet of right-of-way adjacent to this site for Grand Teton, an additional 20 feet for a total half-street width of 50 feet on Durango Drive, and a 54-foot radius at the northeast corner of Durango Drive and Grand Teton Drive prior to the issuance of any permits as required by the Department of Public Works. Additional dedications in accordance with Standard Drawing #201.1 and dedication for a bus turn out shall also be provided unless specifically not required in the approved Traffic Impact Analysis.
6. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site.
7. Construct half-street improvements including appropriate overpaving on Durango Drive and Grand Teton Drive, including the widened median island on Grand Teton Drive, adjacent to the overall site concurrent with the first phase of development of this site as required by the Department of Public Works. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
8. Landscape and maintain all unimproved right-of-way on Durango Drive and Grand Teton Drive adjacent to this site concurrent with development of this site.
9. Obtain an Encroachment Agreement for all landscaping and private improvements located in the Durango Drive and Grand Teton Drive public rights-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 138 – ZON-3509

**CONDITIONS – Continued:**

10. Grant pedestrian access easements for all public sidewalks not located within public right-of-way prior to occupancy of this site as required by the Department of Public Works.
11. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.
12. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

**NOT TO BE HEARD BEFORE 4:00 P.M.** - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-3638** - **APPLICANT: STATE OF NEVADA PUBLIC WORKS BOARD** - Request for a Site Development Plan Review FOR A 101,600 SQUARE-FOOT PSYCHIATRIC HOSPITAL on a portion of 67 acres adjacent to the northwest corner of Jones Boulevard and Oakey Boulevard (APN: 163-02-601-007), C-V (Civic) Zone, Ward 1 (Moncrief). The Planning Commission (4-1-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**531****APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**19****RECOMMENDATION:**

The Planning Commission (4-1-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Letter from State of Nevada
5. Submitted after final agenda – Protest letters from Lyn Maloney and Assemblyman Harry Mortenson
6. Letters from Senator Valerie Wiener, Regent Bret Whipple, Sue Brna and Commissioner Mark James
7. Protest petitions with 961 signatures; protest packet
8. Back up referenced from the 2/12/2004 Planning Commission meeting Item 33
9. Submitted at City Council – Written comments by Tom McGowan
10. Submitted at City Council under related discussion during Citizen Participation – Support petition with 281 signatures submitted by Colette Putnam; information submitted by Joe Tyler regarding NAMI (National Alliance of the Mentally Ill) filed under Citizen Participation

**MOTION:**

**L.B. McDONALD – STRICKEN – Motion carried with MONCRIEF and BROWN voting NO**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

NOTE: A Combined Verbatim Transcript of Item 139 [SDR-3638] and Citizens Participation is made a part of the Final Minutes under Item 139 [SDR-3638].

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 139 – SDR-3638

**MINUTES – Continued:**

Appearances:

OSCAR GOODMAN, Mayor  
LYNETTE BOGGS McDONALD, Councilwoman  
BRAD JERBIC, City Attorney  
LARRY BROWN, Councilman  
DAN O'BRIEN, Manager of the Nevada State Public Works Board, Carson City, Nevada  
JERRY IKE, HMC Architects  
JANET MONCRIEF, Councilwoman  
MICHAEL MACK, Councilman  
GARY REESE, Mayor Pro Tem  
JOANNA TREGGS  
DR. ROSEN  
LAWRENCE WEEKLY, Councilman  
UNIDENTIFIED SPEAKER  
BARBARA CEGAVSKE, State Senator  
JOSEPH MAVIGLIA, 1696 Fair Haven  
GILBERT MEDINA, 1912 Eliminator Drive  
DOROTHY BARNES, Las Vegas resident  
COLETTE PUTNAM, 501 Las Vegas Boulevard South  
SUSAN SAVALA, Torrey Pines/Oakey Central Neighborhood Association  
DIANE LYLES, 6054 Judson Avenue  
JAMES ASTI, 521 Craig Road  
CHERYL GREEN, 711 Carson Street  
DOUG SELBY, City Manager  
VIC DAVIS, 2012 Oterbury Lane  
DAVE SCHMIDT, 11745 Cashmere Mist Avenue  
DEAN HUNT, Boy Scout, Troop 337  
CLAIRE BOUTIN, 704 Cypress Meadows Lane  
LIONEL WILLIAMS  
JOANN LOUHAN, 3309 Tuscany Village Drive  
UNIDENTIFIED MALE  
JUDY KELTNER, 39 Princeville Lane  
MAURICE BOUTIN, 704 Cypress Meadows Lane  
JOE TYLER, President, State of Nevada, NAMI (National Alliance for the Mentally Ill)  
ROBERT KAUFMAN, 1700 English Oak Street  
BARBARA JACKSON, Sparks, Nevada  
GERRY GEDARSH

CITY COUNCIL MEETING OF MARCH 17, 2004  
Planning and Development Department  
Item 139 – SDR-3638

**MINUTES – Continued:**

Appearances:

BRIAN BURER, 5429 Liverpool Road  
MARK SONATO, 5437 Del Rey Avenue  
PAUL GAMBLE, 7260 Bath Drive  
LUCY KING MULBERRY, 6500 West Charleston Boulevard  
CONSTANCE CASSUTO, 5303 East Twain  
STEVEN “CAPTAIN TRUTH” DEMPSEY  
TODD FARLOW, 240 North 19<sup>th</sup> Street  
CHRISTINE HICKMAN, 6213 Vista Verde North

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:14 – 5:04/5:05 – 6:08)

**4-2734/5-1150/6-1**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

NL 1733 N. DECATUR BLVD., DB 740 N. 11<sup>th</sup> ST., RQR-3685, RQR-3686, RQR-3705, SUP-3503, SUP-3545, SUP-3712, SUP-3716, SUP-3729, SUP-3746, SUP-3747, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3772, SDR-3766, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785, SUP-3786, SUP-3788, SUP-3789, SUP-3815, SUP-4009, VAC-3664, VAC-3707, VAC-3726, VAC-3760, VAC-3782, VAC-3802, VAR-3711, VAR-3880, VAR-3715, VAR-3800 and VAR-3946 – 4/7/2004 AGENDA

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

**ADDENDUM:**

None.



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 17, 2004**

**CITIZENS PARTICIPATION:**

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

**MINUTES:**

NOTE: A Combined Verbatim Transcript of Item 139 [SDR-3638] and Citizens Participation is made a part of the Final Minutes under Item 139 [SDR-3638].

(4:14 – 5:04/5:05 – 6:08)

**4-2734/5-1150/6-1**

**MEETING RECESSED AT 6:08 P.M. (6-271)**